Humanitarian Law Center

Dossier: The cover-up of evidence of crimes during the war in Kosovo: THE CONCEALMENT OF BODIES OPERATION

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The Dossiers are the product of Humanitarian Law Center's research on possible perpetrators of war crimes and other international crimes committed during the wars of the 1990s on the territory of the former Yugoslavia. The Dossiers aim to present to the general public evidence and information on mass crimes whose perpetrators have not yet been brought to justice. The Dossiers urge government institutions to prosecute all those responsible for war crimes, either as perpetrators or order-givers, or on the basis of command responsibility, in order to establish the rule of law and deal with the violent past in post-Yugoslav states.

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Belgrade,
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Abbreviations:

125th MtBr VJ	125th Motorized Brigade of the Yugoslav Army
15th ArBr VJ	15th Armoured Brigade of the Yugoslav Army
177th VTO	Military Territorial Detachment of the Yugoslav Army
211th MtBr VJ	211th Motorized Brigade of the Yugoslav Army
37th MtBr VJ	37th Motorized Brigade of the Yugoslav Army
52nd ArBr VJ	52nd Artillery Rocket Brigade of the Yugoslav Army
549th MtBr VJ	549th Motorized Brigade of the Yugoslav Army
Đorđević	Case No. IT-05-87/1, International Criminal Tribunal for the Former Yugoslavia: *The Prosecutor against Vlastimir Đorđević*
EULEX	European Union Rule of Law Mission in Kosovo
Ex.No.	Exhibit number (number designated for the exhibits presented before the International Criminal Tribunal for the Former Yugoslavia)
Haradinaj et al.	Case No. IT-04-84, International Criminal Tribunal for the former Yugoslavia: *The Prosecutor against Ramush Haradinaj, Idriz Balaj, Lahi Brahimaj*
HLC	Humanitarian Law Center
ICMP	International Commission on Missing Persons
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the Former Yugoslavia
KLA	Kosovo Liberation Army
Milošević	Case No. IT-02-54, International Criminal Tribunal for the Former Yugoslavia: *The Prosecutor against Slobodan Milošević*
MoD	Ministry of Defence of the Republic of Serbia
MUP	Ministry of the Interior of the Republic of Serbia
NATO	North Atlantic Treaty Organization
OMPF	UNMIK Office of Missing Persons and Forensics
OUP	Internal Affairs Department
PJP	Special police units of the Ministry of the Interior of the Republic of Serbia
PrC	Prishtina Corps of the Yugoslav Army
RDB	State Security Department
RJB	Public Security Department
Serbian forces	Yugoslav Army and the Ministry of the Interior of the Republic of Serbia
SRJ	Federal Republic of Yugoslavia
Šainović et al.	Case No. IT-05-87, International Criminal Tribunal for the Former Yugoslavia: *The Prosecutor against Milan Milutinović, Nikola Šainović, Dragoljub Ojdanić, Nebojša Pavković, Vladimir Lazarević and Sreten Lukić*
SUP	Secretariat of Internal Affairs
TO	Territorial Defence
UNMIK	United Nations Interim Administration Mission in Kosovo
VJ	Yugoslav Army

Summary

Since 2001, mass graves containing the bodies of 941 Kosovo Albanians, mainly civilians killed outside combat situations in Kosovo during 1999, have been found on four locations in Serbia. According to the UNMIK Office on Missing Persons and Forensics (OMPF), 744 bodies of Kosovo Albanians have been discovered in Batajnica, on the outskirts of Belgrade, at least 61 in Petrovo Selo, and 84 at Lake Perućac. At least 52 bodies have been subsequently found in the mass grave at Rudnica.

Information on the secret removal of the bodies of Kosovo Albanians from Kosovo to Serbia and their subsequent burial in mass graves was disclosed for the first time on 25 May 2001 in a document entitled "Information", prepared by a Working Group established by the Serbian Ministry of the Interior (MUP) to investigate the matter. Shortly afterwards, the first exhumations began at the Batajnica mass grave site (on 2 June 2001), followed by exhumations in Petrovo Selo (on 25 June 2001) and at Lake Perućac (on 6 September 2001). On 13 December 2013, the first human remains were unearthed from the mass grave at Rudnica.

In this very "Information" of the Working Group, it was stated that the decision to conceal evidence of crimes committed was planned as early as March 1999 at the highest level of the government, and that the then President of the FRY, Slobodan Milošević, ordered Vlajko Stojiljković, Minister of the Interior at the time, to take measures to remove evidence of mass crimes against Kosovo Albanian civilians. That the operation to conceal corpses was planned at the highest level of government was corroborated also by other evidence presented before the ICTY and the War Crimes Department of the District Court in Belgrade, which is analysed in this Dossier.

The analysed testimonies and accompanying witness statements could be divided into two groups: the first group comprises statements given by eyewitnesses and survivors of crimes; the second group, more numerous, comprises statements of insiders, mostly members of the police and workers of utility companies, who took part in the transportation and burial of the bodies. In addition to these, numerous police and military documents were also analysed, primarily those available through the ICTY database, but also some documents the HLC acquired on its own, independently of the courts.

The evidence not only corroborated the conclusions of the Working Groups that the operation was planned and ordered by the most senior political and police leadership of the FRY and Serbia, but also indicated that members of both departments of the Serbian MUP (RJB and RDB), from all levels of the police hierarchy – from the most senior officials to the lowest ranking police officers – were involved in it. So was the VJ, through its departments in charge of "clearing up the terrain". Civilians and workers of municipal utility companies also took part in removing the corpses, and the machines and other equipment of these companies were also used for this purpose, usually on the orders of local police officials.

The testimonies and statements of witnesses and available documentation from that time clearly

suggest that the term "clearing up the terrain" or "sanitization" was abundantly used by politicians and military and police forces to refer to the illegal removal of bodies and their burial in clandestine mass graves in order to cover up the crimes committed.

From the statements of witnesses who took part in the transportation and burial of bodies it became evident that the bodies discovered in mass graves belonged to Kosovo Albanian civilians. This was further corroborated by eyewitness accounts and subsequent forensic analyses.

The bodies found in mass graves belonged not only to males, but also to females and children. The cause of their deaths, in most cases, was a gunshot wound, mainly to the head, suggesting that the victims did not die in combat but as a result of execution-style killings outside situations of combat.

Now, sixteen years after the discovery of the mass graves in Batajnica, Petrovo Selo and at Lake Perućac, and more than three years after the discovery of the mass grave at Rudnica, all these locations remain unmarked, without any sign to indicate that hundreds of bodies of men, women and children who had been killed in numerous mass crimes in Kosovo were buried in Serbia. The HLC has launched an initiative to establish a memorial site at the Batajnica mass grave site. At the time of the publication of this Dossier, the online petition in support of the initiative has been signed by several hundred people.[1]

No one has ever been held accountable before courts in Serbia for the large-scale operation of concealment of bodies of Kosovo Albanian victims in mass graves.

1 The initiative is presented at http://www.batajnicamemorialinitiative.org/sr, where the petition can be signed as well.

I. Introduction

1. The Serbian forces' campaign of violence against Kosovo Albanians launched in 1998 intensified after the commencement of the NATO intervention against the FRY on 24 March 1999. According to the HLC data, during the entire 1998, 1,099 Albanian civilians were killed, whilst between 24 and 31 March 1999 alone 2,067 Albanian civilians lost their lives, at the hands of MUP and VJ units, which shows a dramatic increase of violence targeted against the Albanian civilian population. Before the end of the conflict in Kosovo on 20 June 1999, another 5,009 Kosovo Albanian civilians had been killed.[2]

2. In 1998, the UN Security Council issued two resolutions in which it condemned the excessive use of force by the Serbian forces against Kosovo Albanian civilians and the displacement of a large number of people from Kosovo.[3] On 26 March 1999, two days after the beginning of the NATO intervention, Louise Arbour, Chief Prosecutor of the ICTY at the time, wrote a letter to the most senior officials of Serbia and the FRY.[4] In it, Arbour says that she knows about the escalation of violence in Kosovo and requests the addressees to prevent any further commission of crimes and punish the perpetrators, reminding them that the ICTY had jurisdiction to prosecute individuals, "including persons in position of authority".[5]

3. The operation to transfer the bodies of Kosovo Albanian civilians killed by army and police units was planned in March 1999 at the highest levels of government. The main objective of the operation was to cover up crimes committed in order to prevent any potential domestic or international independent investigation into these crimes and identification of perpetrators and those who ordered the crimes. The operation began in early April 1999 at the latest, and resulted in the removal of a large number of bodies from the crime scenes. At least 941 bodies of Kosovo Albanians, mainly civilians killed in Kosovo during 1999, have been found in the mass graves discovered at four locations on the territory of Serbia since 2001.[6] The bodies of more than 1,000 Kosovo Albanians who were killed in 1998 and 1999 have yet to be discovered.[7]

2 HLC Database.

3 UN Security Council Resolution 1160 of 31 March May 1998, p.1, Ex. No. P455, *Šainović et al.*; UN Security Council Resolution 1199 of 23 September 1998, p. 1, Ex. No.P456, *Šainović et al.*

4 The letter was addressed to the then President of the FRY Slobodan Milošević, President of the Republic of Serbia Milan Milutinović, Chief of the VJ General Staff Dragoljub Ojdanić, and Vice-President of the Government of the FRY Nikola Šainović.

5 Louise Arbour's letter to Slobodan Milošević of 26 March 1999, Ex. No. P398, *Šainović et al.*; Louise Arbour's letter to Milan Milutinović of 26 March 1999, Ex. No. P399, *Šainović et al.*; Louise Arbour's letter to Nikola Šainović of 26 March 1999, Ex. No. P400, *Šainović et al.*; Louise Arbour's letter to Dragoljub Ojdanić of 26 March 1999, Ex. No. P401, *Šainović et al.*

6 Corrections to the "Overview of the findings of forensic examinations performed by the OMPF on the human remains recovered from mass graves in Serbia following their repatriation to Kosovo", Ex. No. P455, *Đorđević.*

7 See ICRC, Persons Unaccounted for in Connection with the Crisis in Kosovo, last update 11 July 2016, https://familylinks.icrc.org/kosovo/sr/Pages/Home.aspx

4. From the available evidence presented in this Dossier, it is evident that the bodies were removed from numerous crime scenes in Kosovo to be buried in mass graves at nearby locations, after which they were disinterred and transported to mass graves in Serbia, located hundreds of kilometres away from the killing sites. So far, bodies have been found in the Belgrade suburb of Batajnica, in Petrovo Selo in eastern Serbia, at Lake Perućac in western Serbia, and at Rudnica near Raška in southern Serbia, near the border with Kosovo.

5. The evidence concerning the transfer of bodies from Kosovo to Serbia, and their reburial in clandestine graves in Serbia in order to cover up the crimes committed, was presented in two trials conducted before the ICTY (*Šainović et al.* and *Đorđević*). A certain amount of evidence regarding this operation was also presented before the War Crimes Chamber of the District Court in Belgrade, in two trials (Suharekë/Suva Reka and Bytyqi).

6. In the domestic trials, the evidence was presented only for the purpose of discovering where the bodies of people killed in the actual crimes being tried were buried, whereas the ICTY considered the operation to conceal bodies to be an indicator of the existence of a joint criminal enterprise, the objective of which was to modify the ethnic balance in Kosovo in order to secure permanent control for the FRY and Serbia over what was then a Serbian province.

7. The trial Chamber in the *Šainović et al.* case found as follows:

> Having reviewed the evidence outlined above, the Chamber is of the view that there can be no doubt that a clandestine operation involving the exhumation of over 700 bodies originally buried in Kosovo and their transportation to Serbia proper took place during the NATO bombing. The main personalities involved in organising this large- scale operation were the Minister of Interior, Vlajko Stojiljković; the President of the FRY, Slobodan Milošević; and the Head of the RJB at the time, Vlastimir Đorđević, all of whom are also, in this Indictment, named members of the joint criminal enterprise. [8] […] […]The Chamber is convinced that the purpose of this operation was to conceal over 700 bodies scattered throughout Kosovo from both the citizens of the FRY and Serbia and from the international community, including this Tribunal and NATO ground forces, whose presence on the ground in Kosovo was anticipated following the NATO bombing. The fact that the persons involved felt this concealment to be necessary in the first place also leads the Chamber to conclude that they knew that the great majority of the corpses moved were victims of crimes, as opposed to combatants or people who perished during legitimate combat activities, such as the victims from the area of Meja and from Suva Reka/ Suhareka town.[9]

8 ICTY Trial Judgment in *Šainović et al.*, vol. II, para. 1.356.
9 Ibid, para. 1.357.

II. Mass graves in Serbia

Batajnica

8. Batajnica is a suburb located in the north-westernmost part of Belgrade, in the municipality of Zemun. Near a small urban community called "13th May", which lies halfway between the town of Zemun and Batajnica, and in the immediate vicinity of the River Danube, there was in 1999 a training centre of the MUP Special Counter Terrorism Unit (SAJ). The SAJ was at the time a unit of the Serbian MUP Public Security Division.[10] Today the SAJ is a part of the Police Directorate.[11] The "13th May" training centre continued functioning normally even after the discovery and exhumation of the human remains of hundreds of Kosovo Albanians at that location.[12]

9. Between 2001 and 2003 eight mass graves were discovered and exhumed at the "13th May" Centre.[13] The exhumation was performed by a team of experts of the Forensic Medicine Institute from Belgrade. The exhumed human remains were handed over to the OMPF from Kosovo in body-bags, with a corresponding autopsy report produced by the Serbian authorities and a death certificate attached to each bag.[14]

10. According to the expert report on exhumations published on 24 November 2005 and signed by Jon Sterenberg, head of excavations and examinations at the International Commission on Missing Persons Forensic (ICMP) Forensic Office, 705 bodies were recovered from the graves in Batajnica.[15] After the exhumation and examination, the remains were repatriated to Kosovo and handed over to the OMPF, which performed forensic analysis and re-examination of the human remains and concluded that there were in fact 744 bodies.[16]

11. The OMPF established the causes of death for 535 persons recovered from the mass graves in Batajnica and Perućac: 531 persons died from a gunshot wound, of whom 300 were shot in the head.[17]

10 Witness statement of protected witness K88, Ex. No. P2800, *Šainović et al.*; Decision establishing Special Anti-Terrorist Units, 5 April 1996, Ex. No. 6D1355, *Šainović et al.*

11 Official website of the Serbian MUP: http://arhiva.mup.gov.rs/cms_lat/direkcija.nsf/saj-nadleznost.h accessed on 14 January 2017.

12 Ivana Bujošević, Jasmina Čobanin, Mihailo Radojičić, "Uvežbani za svašta" [Trained for all sorts of things], *Vreme,* 28 May 2009.

13 Expert report on the exhumation in Batajnica, Petrovo Selo, Derventa Canyon, Lake Perućac, ICMP, 24 November 2005, pp. 4-5, Ex. No. P2476, *Šainović et al.*; Testimony of Branimir Aleksandrić of 25 October 2006, *Šainović et al.*, pp. 5297-5298.

14 Testimony of Dušan Dunjić of 25 October 2006, *Šainović et al.*, p. 5263.

15 Expert report on the exhumation in Batajnica, Petrovo Selo, Derventa Canyon, Lake Perućac, ICMP, 24 November 2005, pp 4-5, Ex. No. P2476, *Šainović et al.*: the Report lists the number of bodies per pit: BA01 – 36, BA02 – 269, BA03 – 39, BA04 – 0, BA05 – 287, BA06 – 0, BA07 – 74, BA08 – 0.

16 Corrections to the „Overview of the findings of the forensic examinations performed by the OMPF on the human remains recovered from mass graves in Serbia following their repatriation to Kosovo", Ex. No. P455, *Đorđević.*

17 "Summary of the findings of the forensic examination performed by OMPF on the human remains recovered from three mass graves in Serbia following their repatriation to Kosovo", Addition to the witness statement of José Pablo Baraybar, p. 13, Ex. No. P454, *Đorđević.*

Petrovo Selo

12. Petrovo Selo is a village located on the eastern slopes of Mount Miroč in the municipality of Kladovo. In 1999, there was a MUP training centre in Petrovo Selo where members of the PJP received instructor trainings. Occasionally, members of the Special Operations Unit of the State Security Department ("JSO") were also trained there.[18]

13. Between 25 and 28 June 2001, a team of experts of the Institute of Forensic Medicine exhumed the two mass graves discovered in Petrovo Selo[19] in the presence of representatives of the ICMP and monitors from the ICTY and HLC.[20]

14. The report produced by the experts following the exhumations states that the human remains of 75 people[21] were exhumed from the two mass graves in Petrovo Selo near the police training centre. The OMPF stated that it received 61 bodies from the Petrovo Selo site.[22]

15. It was established that 53 of the victims died of gunshot wounds, 20 of whom were shot in the head.[23]

Lake Perućac

16. Lake Perućac is located in the Bajina Bašta municipality in western Serbia. The exhumation of a mass grave discovered near the lake commenced on 6 September 2001. Forensic investigation of the mass grave was completed on 14 September of the same year.[24]

17. The investigation was conducted by the District Court in Užice, with the assistance of a forensic team led by military pathologist Zoran Stanković. Representatives of the ICMP supervised the investigation and autopsies.[25] Beside human remains, this mass grave contained parts of a refrigerated truck.[26] According to the expert report on exhumations, at least 48 complete bodies were exhumed from the mass grave near Lake Perućac.[27] The OMPF, however, having re-examined the human

18 Witness statement of Vlastimir Đorđević, 26 June 2009, *Bytyqi*, p. 17.
19 Expert report on the exhumations in Batajnica, Petrovo Selo, Derventa Canyon, Lake Perućac, ICMP, 24 November 2005, p. 41, Ex. No. P2476, *Šainović et al*.
20 Ibid, p. 42.
21 Ibid.
22 Corrections to the "Overview of the findings of the forensic examinations performed by OMPF on the human remains recovered from mass graves in Serbia following their repatriation to Kosovo", Ex. No. P455, *Đorđević*.
23 Summary of the findings of forensic examinations performed by the OMPF on the human remains recovered from mass graves in Serbia following their repatriation to Kosovo, Addition to the witness statement of José Pablo Baraybar, p. 13, Ex. No. P454, *Đorđević*.
24 Expert report on the exhumation in Batajnica, Petrovo Selo, Derventa Canyon, Lake Perućac, ICMP, 24 November 2005, p. 51, Ex. No. P2476, *Šainović et al.*
25 Ibid.
26 Ibid.
27 Ibid.

remains it received from this site, established that they contained the complete or incomplete bodies of 84 persons.[28]

Rudnica

18. The village of Rudnica is located in Raška municipality in southern Serbia, near the Jarinjë/Jarinje border crossing between Serbia and Kosovo. The abandoned quarry site near the village had been examined several times since 2007, but the first human remains were only discovered on 13 December 2013.[29] During excavations which lasted until 22 August 2014, 52 bodies were recovered.[30]

19. Forensic experts of the OMPF, EULEX, ICMP and ICTY took part in or supervised the exhumations. Between August and October 2014, all human remains recovered from Rudnica were handed over to EULEX.[31]

III. From crimes in Kosovo to mass graves in Serbia

i. Crimes from which bodies discovered in mass graves in Batajnica originate

20. Bodies of Albanian victims killed in Kosovo in the period from March 24th until May 22nd, 1999, primarily in the municipalities of Suharekë/Suva Reka, Gjakovë/Đakovica, Pejë/Peć, Fushë Kosovë/Kosovo Polje, Prizren, Vushtrri/Vučitrn and Lipjan/Lipljan, were found in the Batajnica mass graves, and a certain number of bodies of civilians killed in the municipalities of Mitrovicë/Kosovska Mitrovica, Rrahovec/Orahovac, Podujevë/Podujevo, Istog/Istok and Deçan/Dečan were also found in these mass graves.

21. Bodies of victims of the following crimes were exhumed in the "13th May" Centre:

1. **Fushë Kosovë/Kosovo Polje (the Municipality of Fushë Kosovë/Kosovo Polje):** the killing of at least 56 Kosovo Albanian civilians, including 15 women and four children, in the period from March 24th until April 1st,1999. The largest individual execution in this period of time happened on April 1st at the Syla family household, when 11 members of the Syla, Krasniqi and Xheladani families were killed.[32]

28 Corrections to the "Overview of the findings of the forensic examinations performed by OMPF on the human remains recovered from mass graves in Serbia following their repatriation to Kosovo", Ex. No. P455, *Đorđević*.
29 Zana Cimili, "Nađeni posmrtni ostaci u Rudnici" [Mortal remains found at Rudnica], B92, available (in Serbian) at http://www.b92.net/info/vesti/index.php?yyyy=2013&mm=12&dd=13&nav_id=788765 accessed on 18 January 2017.
30 ICRC, Audio Visual Archives, accessed on 5 January 2017, available at: https://avarchives.icrc.org/Picture/130470
31 Ibid.
32 HLC database.

- According to witness statements, the crime in Fushë Kosovë/Kosovo Polje was committed by members of the Ministry of the Interior (MUP).[33] In 1999, a Department of the Interior in Fushë Kosovë/Kosovo Polje existed as part of the Prishtina Secretariat of the Interior (SUP).[34] However, during the conflict in Kosovo, Željko Ražnatović Arkan's "Tigers" unit, the Special Anti-Terrorist Unit of the Public Security Division (RJB) and the "Vukovi sa Vučjaka" ("Wolves from Vučjak") unit, which came from Bosnia and Herzegovina, also operated on the territory of Fushë Kosovë/Kosovo Polje.[35]

- The mortal remains of 30 victims from Fushë Kosovë/Kosovo Polje were exhumed in Batajnica, while another 22 bodies were discovered after the end of the conflict on the territory of the municipalities of Prishtina and Fushë Kosovë/Kosovo Polje.[36] The names of another four victims who disappeared in Fushë Kosovë/Kosovo Polje are still on the ICRC's List of Missing Persons.[37]

2. **Suharekë/Suva Reka (the Municipality of Prizren):** the killing of 49 members of the Berisha family on March 26th, 1999, amongst whom were 12 adult men, while the rest of the victims were women and children, most of whom were killed in the "Kalabrija" pizzeria in Suharekë/Suva Reka.[38]

   - The crime in Suharekë/Suva Reka was committed by members of the Suharekë/Suva Reka Department of the Interior (OUP), Slađan Čukarić, Radovan Tanović, Miroslav Petković and Milorad Nišavić, on the orders of the Suharekë/Suva Reka OUP Commander, Radojko Repanović.[39]

   - Mortal remains of 24 members of the Berisha family were exhumed in Batajnica, while the bodies of five victims were exhumed in Suharekë/Suva Reka in September 1999.[40] The ICRC's List of Missing Persons still contain the names of 20 victims from this family.[41]

33 HLC database, statement by witness A.K. given to the HLC in February 2014; statement by witness S.K. given to the HLC, July 2007; statement by witness L.K. given to the HLC, October 1999.

34 Rulebook on Internal Organization of the Ministry of the Interior dated December 31st, 1997, Ex. No. P357, *Đorđević*, p. 5, Article 4.

35 Testimony of Aleksandar Vasiljević before the ICTY in the *Đorđević* case given on June 8th, 2009, p. 5668-5671; testimony of Ljubivoje Joksić given before the ICTY in *Šainović et al.* case on February 8th, 2008, pp. 21494-21950, 21954; testimony of Branko Gjaić given before the ICTY in *Šainović et al.* case on September 11th, 2007, p. 15274-15275.

36 HLC database.

37 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Accessed on January 17th, 2017.

38 HLC database; see the judgement of the Higher Court in Belgrade no. K Po2 48/10 from December 15th, 2010 rendered in the *Suharekë/Suva Reka* case.

39 Judgement of the Higher Court in Belgrade no. K Po2 48/2010 delivered on December 15th, 2010 in the case *Suharekë/Suva Reka*; Judgement of the Court of Appeals in Belgrade no. Kž1 Po2 4/11 delivered in the *Suharekë/Suva Reka* on June 6th, 2011.

40 HLC database.

41 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.

3. **Landovicë/Landovica (the Municipality of Prizren):** the killing of 17 Kosovo Albanian civilians, including five women and seven children, on March 26th, 1999.[42]

   - The crime in Landovicë/Landovica was committed during a joint Yugoslav Army (VJ) and MUP operation lead by the 549th MtBr VJ.[43]

   - Mortal remains of six victims from the village of Landovicë/Landovica were exhumed in Batajnica, while five bodies were found in Landovicë/Landovica following the termination of the conflict.[44] Four victims were found in other places in Kosovo. The names of two victims are still registered on the ICRC's List of Missing Persons.[45]

4. **Brezhanik/Brežanik (the Municipality of Pejë/Peć):** the killing of at least 48 Kosovo Albanian civilians, including two women, on March 27th, 1999.[46]

   - The crime was committed during a joint VJ and MUP operation.[47] The 177th VTO of the VJ, two manoeuvre support companies from the 21st and 22nd Detachments of the Special Police Units (PJP) and certain members of the VJ 125th MtBr armoured battalion were deployed in Pejë/Peć at that time.

   - Mortal remains of 40 victims killed in Pejë/Peć were exhumed in Batajnica; and three bodies were exhumed on the territory of the town of Pejë/Peć following the end of the conflict.[48] Another five names are still on the ICRC's List of Missing Persons.[49]

42 HLC database.

43 On March 20th, 2013, the HLC presented to the public the Dossier *"549th Motorized Brigade of the Yugoslav Army"*. See at http://www.hlc-rdc.org/wp-content/uploads/2013/03/Dosijea-549.-Motorizovana-brigada-Vojske-Jugoslavije.pdf, pp. 27-28 Last accessed on January 16th, 2017. In December 2013, the HLC filed a criminal complaint with the Office of the War Crimes Prosecutor (OWCP) against Božidar Delić, the Commander of the 549th MtBr of the VJ, because of the crime committed in Landovicë/Landovica. See at http://www.hlc-rdc.org/?p=26011 Last accessed on January 16th, 2017.

44 HLC database.

45 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.

46 HLC database.

47 Order by the Command of the Prishtina Military District dated March 27th, 1999, Ex. No. P896, *Đorđević,* p. 4; Dispatch by General Đorđević dated March 2nd, 1999, Ex. No. P1189, *Đorđević,* p. 1; War diary of the Armoured Batallion of the 125th MtBr of the VJ dated March 28th, 2017, Ex. No. P957, *Đorđević,* p. 3.

48 HLC database.

49 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.

5. **Lubeniq/Ljubenić (the Municipality of Pejë/Peć):** the killing of 48 Kosovo Albanian civilians on April 1st, 1999.[50]

   - The crime in Lubeniq/Ljubenić was committed by members of the "Šakali" ("Jackals") military formation, which was a part of the 177th Military Territorial Detachment of the 125th MtBr of the VJ.[51]

   - Mortal remains of 29 victims from Lubeniq/Ljubenić were exhumed in Batajnica; mortal remains of 11 victims were exhumed after the war in Pejë/Peć; and bodies of three victims were found in Lubeniq/Ljubenić.[52] Five persons are still registered as missing on the ICRC's List of Missing Persons.[53]

6. **Sllovi/Slovinje (Municipality of Lipjan/Lipljan):** the killing of 40 Albanian civilians, including six women, on April 15th and 16th, 1999.[54]

   - The crime in Sllovi/Slovinje, according to witness statements, was committed by members of the MUP and "paramilitaries". The witnesses also mentioned the presence of the VJ in Sllovi/Slovinje during the time when the crime was committed. The witnesses identified Serb residents of the village – the brothers Živorad, Slobodan and Milovan Maksimović and their uncle Ljubiša Perić, as perpetrators of these killings.[55] Parts of the municipality of Lipjan/Lipljan were in the area of responsibility of the VJ's 15th Armoured Brigade (ArBr).[56] In Lipjan/Lipljan, there was also an OUP, which operated as part of the PrishtinaSUP.[57]

50 HLC database.

51 There is a trial pending before the Higher Court in Belgrade in which members of the *Šakali* unit are charged with the commission of the crimes in the villages in the municipality of Pejë/Peć during April and May 1999. The OWCP alleges in its indictment in this case that the Jackals unit was a part of the 177th Military Territorial Detachment of the 125th VJ MtBr. See at http://www.hlc-rdc.org/images/stories/pdf/sudjenje_za_ratne_zlocine/srbija/Cuska/Optuznice/I%20Cuska%20%28Toplica%20Miladinovic%20i%20dr%29-optuznica-10.09.2010..pdf Last accessed on January 16th, 2017; in October 2013, the HLC presented to the public its *Dossier "125th Motorized Brigade of the Yugoslav Army"*, p. 20-25. See at http://www.hlc-rdc.org/wp-content/uploads/2013/10/Dosije-125.pdf Last accessed on January 16th, 2017.

52 HLC database.

53 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Accessed on January 17th, 2017.

54 HLC database.

55 Human Rights Watch "Under Orders – War Crimes in Kosovo", October 2001, p. 356; OSCE "As Seen As Told", 1999, p. 256-257; Investigation Decision of the UNMIK International Public Prosecutor from Prishtina dated July 13th, 2005, Ex. No. 5D01366, *Šainović et al.*

56 Testimony of Vladimir Marinković given before the ICTY in the *Šainović et al.* case on December 13th, 2007, p. 20252; Ibid., December 14th, 2007, p. 20302.

57 Rulebook on Internal Organization of the Ministry of the Interior dated December 31st, 1997, Ex. No. P357, *Đorđević*, p. 5, Article 4.

- Mortal remains of 15 victims from Sllovi/Slovinje were exhumed in Batajnica, whilst another 25 bodies were found in Sllovi/Slovinje and the surrounding villages immediately after the termination of the war.[58]

7. **Nakaradë/Nakarade (Municipality of Fushë Kosovë/Kosovo Polje):** the killing of 16 male members of the Mirena family, who were apprehended on April 21st, 1999 and taken in an unknown direction.[59]

   - The crime in the village of Nakaradë/Nakarade, according to witness statements, was committed by members of the MUP and individuals wearing masks, military camouflage uniforms and bands around their arms, while the apprehended Kosovo Albanians, who were later on killed, were taken away by military and police vehicles.[60] The 15th ArBr of the VJ was stationed in Fushë Kosovë/Kosovo Polje.[61] There was also a Department of the Interior in Fushë Kosovë/Kosovo Polje, which operated as part of the Prishtina SUP.[62] However, during the conflict in Kosovo, there were other units which also operated on the territory of Fushë Kosovë/Kosovo Polje, such as Željko Ražnatović Arkan's "Tigers", the RJB Special Anti-Terrorist Unit and the "Vukovi sa Vučjaka" unit, which came from Bosnia-Herzegovina.[63]

   - The mortal remains of all 16 victims from the village of Nakaradë/Nakarade were exhumed in Batajnica.[64]

8. **Operation Reka (Municipality of Gjakovë/Đakovica):** the killing of at least 348 civilians, including 36 children, in Mejë/Meja, Korenicë/Korenica, Dobrosh/Dobroš, Ramoc and other villages in the vicinity of Gjakovë/Đakovica, on April 27th and 28th, 1999.[65]

   - The crimes were committed in an operation launched under the command of members of the Command of the VJ Prishtina Corps, and the following units participated in this operation: the 549th MtBr of the VJ, 63rd Parachute Brigade of the VJ, 52nd Military Police

58 HLC database.
59 Ibid.
60 HLC database, statement given by witness SH. M. to the HLC in February 2014; statement by witness N.M. given to the HLC, August 2007.
61 Testimony of Vladimir Marinković given before the ICTY in the *Šainović et al.* case on December 13th, 2007, p. 20252; Ibid., December 14th, 2007, p. 20302.
62 Rulebook on the Internal Organization of the Ministry of the Interior dated December 31st, 1997, Ex. No. P357, *Đorđević,* p. 5, Article 4.
63 Testimony by Aleksandar Vasiljević given before the ICTY in the *Đorđević* case on June 8th, 2009, p. 5668-5671; testimony by Ljubivoje Joksić given before the ICTY in the *Šainović et al.* case on September 11th, 2007, p. 15274-15275.
64 HLC database.
65 Ibid. The HLC presented to the public its *"Operation Reka"* Dossier in October 2015, which contains a description of a joint operation of the VJ and MUP in the villages in the municipality of Đakovica in late April 1999. See at http://www.hlc-rdc.org/?p=30521 Last accessed on January 16th, 2017.

Battalion, 52nd ArBr of the VJ, 113th Military Territorial Detachment, members of the Gjakovë/Đakovica SUP, several detachments of the Special police units, and a number of paramilitary units.[66]

- The mortal remains of 309 victims of this operation were exhumed in Batajnica, whilst bodies of 26 victims were found in Kosovo in the villages of Korenicë/Korenica, Mejë/Meja and other locations in their vicinity.[67] Names of another 13 victims are still listed as missing.[68]

9. **Gjakovë/Đakovica (Municipality of Gjakovë/Đakovica):** the killing of 90 Kosovo Albanian civilians between May 7th and 11th, 1999.[69]

   - The crimes in Gjakovë/Đakovica were committed during a joint VJ and MUP operation.[70] The 549th MtBr of the VJ, 125th MtBr of the VJ, 52nd ArBr of the VJ, 52nd Military Police Battalion, Military Territorial Detachment Gjakovë/Đakovica and 124th PJP Brigade were stationed in Gjakovë/Đakovica at this period of time.[71]

   - Mortal remains of 77 victims from Gjakovë/Đakovica were exhumed in Batajnica, while another seven bodies were found in Gjakovë/Đakovica and its surroundings immediately after the crime was committed and later on following the end of the conflict.[72] There are still six people reported as missing on the ICRC's List of the Missing.[73]

10. **Vushtrri/Vučitrn (Municipality of Vushtrri/Vučitrn):** the killing of 71 Kosovo Albanian civilians, including four women and six children, who were expelled from their own houses on May 22nd, 1999 and then taken out of the refugee convoy at the exit from Vushtrri/Vučitrn. The greatest number of civilians, 64 of them, were killed at the Pasoma family household on Sitnička Street in Vushtrri/Vučitrn, while the rest of them were executed at other locations in town.[74]

66 See *"Operation Reka"* Dossier, HLC, p. 28-43, http://www.hlc-rdc.org/wp-content/uploads/2015/10/Dosije-Operacija_Reka.pdf
67 HLC database.
68 In October 2015, the HLC presented to the public its "*Operation Reka*" Dossier, which describes the joint VJ and MUP operation in the villages in the municipality of Gjakovë/Đakovica in late April 1999. See at http://www.hlc-rdc.org/?p=30521 Last accessed on January 16th, 2017
69 HLC database.
70 ICTY Trial Judgment in the case *Šainović et al.*, Vol. II, par.142.
71 Ibid, par. 95; Order of the Prishtina Corps from March 31st, 1999, Ex. No. 6D750, *Šainović et al.*, Minutes from a meeting held in the MUP Headquarters on May 11th, 1999, Ex. No. P1993, *Šainović et al.*
72 HLC database.
73 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.
74 HLC database.

- The crimes in Vushtrri/Vučitrn were committed during a joint VJ and MUP operation.[75] The 211th ArBr of the VJ, 15th ArBr of the VJ, 58th Light Infantry Brigade of the VJ and the 35th PJP Detachment, the 122nd PJP Quick Reaction Brigade and members of the Vushtrri/Vučitrn OUP were stationed in the town of Vushtrri/Vučitrn and the surrounding villages during the conflict in Kosovo.[76]

- Mortal remains of 66 victims from Vushtrri/Vučitrn were exhumed in Batajnica, while four bodies were exhumed in Vushtrri/Vučitrn after the end of the conflict.[77] One more person is registered as missing on the ICRC's List of Missing Persons.[78]

11. Killings at various other locations in Kosovo, but also in villages and towns that have already been mentioned herein; however, these crimes happened at a different period of time.

    - The mortal remains of another 61 victims killed at various other locations in Kosovo were exhumed in Batajnica.[79]

Transferring bodies to primary graves

22. The army and police organized the transfer of bodies from the scenes of the crimes, provided the logistics and often engaged members of local public utility companies and their vehicles, as well as civilians and members of territorial defence (TO) units.

23. Most details about the transfer of bodies from the scene of the crime are known in relation to the killings of civilians in Suharekë/Suva Reka.

24. Some 15-20 minutes after the murder, Doctor Boban Bobek Vuksanović, the Director of the local Outpatient Clinic, and Mirko Đorđević, a member of the Suharekë/Suva Reka TO, arrived at the Pizzeria where the women and children had been killed to examine the bodies.[80] A criminal technician from the Suharekë/Suva Reka OUP, Todor Jovanović, then took photographs of the corpses in the Pizzeria and other corpses from Suharekë/Suva Reka.[81]

25. Then, Radojko Repanović, the Commander of the Suharekë/Suva Reka OUP, Boban Vuksanović, the Head of the Suharekë/Suva Reka TO, and Zoran Stanisavljević, the Head of the People's Defence

75 HLC database, statement given by witness Sh. K to the HLC in March 2008; statement of witness M.M. given to the HLC in March 2000.
76 ICTY Trial Judgment in the case *Šainović et al.*, Vol. II, par. 751, 776; statement given by witness Nebojša Bogunović, Ex. No. 6D1614, *Šainović et al.*, Order to break up and destroy Shiptar Terrorist Forces (ShTF) in the Bajgora-Bare region dated April 15th, 1999, Ex. No. P1975, *Šainović et al.*
77 HLC database.
78 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.
79 HLC database.
80 Testimony of witness K83 given before the ICTY in the *Đorđević* case on January 30th, 2009, p. 390-392; testimony of witness K83 given on February 2nd, 2009, *Đorđević*, p. 426.
81 Ibid. p. 400-405,

Department, ordered police officers Velibor Veljković, Sreten Janković and Ivica Novaković to load the bodies from the Reštane road and from the Pizzeria onto trucks, which they did.[82] Members of the Civil Protection Unit, TO, and other civilians helped them load the bodies.[83]

26. The bodies were then taken by two trucks in the direction of Prizren.[84]

27. The bodies of the killed unarmed men in Mejë/Meja, Korenicë/Korenica and other villages in the Valley of Reka e Keq/Reka, were removed by the VJ, according to the available evidence. The Captain of the 52nd Artillery Rocket Brigade Nike Peraj, said in his statement given to the prosecutors and before the ICTY, that a three-member commission was established following the mass executions in the Valley of Reka e Keq/Reka, "and it was in charge of the cleaning-up of the terrain and the collection of corpses".[85] Peraj stated that the Head of this Commission was the Senior Sanitary Inspector known as Neđa (Nexha), who "issued orders to the VJ Major Ljubiša Živković and Živko Vuksanović".[86] This suggests that these two individuals were members of the said Commission. According to Peraj's statement, Vuksanović wore the uniforms of both the MUP and VJ. [87] It is possible that this person was a member of the group, together with 17 other individuals, including the high-ranking VJ officer Momir Stojanović,[88] accused by the EULEX Special Prosecution Office of committing crimes against a civilian population, following which Interpol issued arrest warrants against them.[89]

28. Eyewitnesses of the crimes committed during Operation Reka in Mejë/Meja, Korenicë/Korenica and other villages in the municipality of Gjakovë/Đakovica, stated in their testimonies given before the ICTY in the cases of *Šainović et al.* and *Đorđević* that bodies were loaded onto trucks and taken in an unknown direction.[90] Hamdija Alitaj, who loaded bodies onto trucks together with his sons Halit and Sabit, told one of the witnesses that he loaded 412 bodies onto the trucks.[91]

82 Testimony of Velibor Veljković before the District Court in Belgrade in *Suharekë/Suva Reka* case on November 7th, 2006, p. 91; testimony of protected witness "A" given before the District Court in Belgrade in the *Suharekë/Suva Reka* case on December 5th, 2006, p. 57.

83 Testimony of Jovica Trajković given before the District Court in Belgrade in *Suharekë/Suva Reka* case on April 4th, 2007, p. 4, testimony of Svetozar Nedeljković given before the District Court in Belgrade in *Suharekë/Suva Reka* case on April 4th, 2007, p. 54; testimony of Nedeljko Petković given before the District Court in Belgrade in *Suharekë/Suva Reka* case on April 3rd, 2007, pp. 5, 9; testimony by Spiro Krstić given before the District Court in Belgrade in *Suharekë/Suva Reka* case on March 7th, 2007, pp. 52-55.

84 Testimony by Shyrete Berisha given before the ICTY in the *Đorđević* case on February 4th, 2009, p.487-491; testimony of witness K83 given before the ICTY in the *Đorđević* case on January 30th, 2009, pp. 390-391; testimony of Velibor Veljković given before the ICTY in the *Đorđević* case on July 9th, 2009, p. 7147.

85 Statement by Nike Peraj, Ex. No. P313, *Đorđević*, para. 87.

86 Ibid.

87 Ibid.

88 Interpol arrest warrant against Momir Stojanović. See at http://www.interpol.int/notice/search/wanted/2015-8413 Last accessed on January 17th, 2017.

89 Interpol arrest warrant against Živko Vuksanović. See at http://www.interpol.int/notice/search/wanted/2015-8818 Last accessed on January 17th, 2017.

90 Statement by witness Merita Deda, Ex. No. 1030, *Đorđević*, p. 3, Statement by Nike Peraj, Ex. No. P313, *Đorđević*, par. 86 and 88.

91 Testimony by Martin Pnishi given before the ICTY in the *Šainović et al.* case on August 11th, 2006, p. 1526.

29. Nike Peraj stated that the VJ and MUP "were looking for bulldozers all over Gjakovë/Đakovica, allegedly for a road reconstruction" in the days following the commission of the crime, but that he suspected they were to be used for the removal of corpses.[92] Peraj's statement regarding this and other events which happened during Operation Reka was assessed in two ICTY judgments as "credible and reliable evidence,"[93] and because of that, "it should be adopted."[94]

30. According to the statement given by one witness, the army removed bodies from Landovicë/Landovica as well and took them away on a "Zastava" truck.[95]

31. During two days (April 15th and 16th, 1999), Serb forces killed 40 Albanian civilians in Sllovi/Slovinje. After two weeks, on April 29th and 30th, 1999, the VJ, pursuant to the rules, exhumed 16 bodies from two mass graves. The exhumation and forensic analyses were conducted on the orders and under the supervision of the responsible Investigative Judge from the Prishtina Corps Martial Court, Zoran Saveljić, following which the bodies were handed over to the families.[96]

32. Members of the VJ arrived in Sllovi/Slovinje in late May 1999 and exhumed the bodies of 15 people who were killed in April from the graves in which their families had buried them, loaded them onto trucks and took them in an unknown direction.[97] During the visit to this location on July 23rd, 1999, researchers of the Human Rights Watch noticed soil that had been dug out and they found parts of the garments of the killed, which confirms the stories told by the citizens of this village about the removal of the bodies.[98] The mortal remains of 15 victims, which the VJ dug up in Sllovi/Slovinje and took in an unknown direction, were found in the mass grave in Batajnica [see paragraph 21, point 6 to read about the fate of the remaining nine victims killed in Sllovi/Slovinje].[99]

33. The 15th Armoured Brigade of the VJ was in charge of a part of the municipality of Lipjan/Lipljan, and they also had the task to clean up the area.[100] The leader of the clean-up team in the 15th ArBr was a commander known by the last name of Milinković.[101]

34. Employees of the local public utility companies in Kosovo were engaged to remove the corpses from the scene of the crime, and sometimes they were recruited[102] by the Ministry of Defence Civil

92 Statement by Nika Peraj, Ex. No. P313, *Đorđević*, para. 88.
93 ICTY Trial Chamber Judgment in *Šainović et al.* case, Vol. II, para. 82.
94 ICTY Trial Chamber judgment in *Đorđević* case, Vol. I, para. 943.
95 HLC database, statement by witness H.M. given to the HLC in April 2001.
96 Investigation Order from April 27th, 1999, Ex. No. 5D1316, *Šainović et al.*; Record on the Forensic Analysis at the location of Sllovi/Slovinje village dated, April 29th-30th, 1999, Ex. No. 5D1315, *Šainović et al.*; statement by witness Ivica Milosavljević, Ex. No. 5D1404, *Šainović et al.*
97 HLC database, statement given by witness G. P to the HLC, December 2006; statement by witness J. Sh. given to the HLC, January 2008; statement by witness H.H. given to the HLC, December 2006.
98 Human Rights Watch "Under Orders – War Crimes in Kosovo", October 2001, p. 353.
99 HLC database.
100 Testimony of Vladimir Marinković given before the ICTY in *Šainović et al.* case on December 14th, 2007, p. 20302.
101 Clean-up Report of the VJ's 15th ArBr dated May 18th, 1999, Ex. No. 5D937, *Šainović et al.*
102 See the following chapter.

Protection Unit. There is evidence showing that members of the public utility companies, or members of the Civil Protection Unit, participated in the removal of corpses not only in Suharekë/Suva Reka but also following the crimes committed in Gjakovë/Đakovica[103] and Lubeniq/Ljubenić.[104]

35. There is no information about what happened with the bodies of the people killed in Vushtrri/Vučitrn, Fushë Kosovë/Kosovo Polje, Pejë/Peć and Nakaradë/Nakarade immediately after the executions took place at these locations.

Digging out the bodies from primary graves

36. Before being transported to Batajnica, the bodies of the killed Kosovo Albanian civilians were buried in primary mass graves in Kosovo.

37. It is a known fact that the bodies of the civilians killed in Suharekë/Suva Reka were buried at VJ the shooting range site known as Koriše i Ljubižde (Kroj-I-Popit in Albanian), near Prizren,[105] whilst, according to some statements, bodies from Landovicë/Landovica were also buried at this site.[106]

38. A number of bodies of people killed in Suharekë/Suva Reka, together with tens of other unidentified bodies, were dug out from this site already in early April 1999. Members of the police and Civil Protection Unit undertook the excavation from two mass grave sites, about which an employee of the Prizren City Public Utility Company, "Hygiene",[107] Ali Gjogaj, who was recruited by the Civil Protection Unit at the beginning of the NATO intervention, testified before the ICTY, and also before the Higher Court in Belgrade, in the *Suharekë/Suva Reka* case.[108]

39. According to his statement, one evening in early April 1999, bodies were dug out of two pits at the shooting range and loaded onto two trucks – some 80 to 90 bodies of men, women and children were dug out of the first pit, where he was engaged, and loaded into a "Mercedes" cooler truck without

103 „One Witness Kept a Record of Horror", *Washington Post*, June 20th, 1999. See at http://www.washingtonpost.com/wp-srv/inatl/longterm/balkans/stories/djakovica062099.htm. Last accessed on January 17th, 2017.

104 Testimony by Marko Vukotić given before the Higher Court in Belgrade in the case known as *Qyshk/Ćuška* on April 23rd, 2013, pp. 7-9.

105 During the investigation conducted by a British forensic team in September 1999 at this location from which the bodies had been exhumed, a great number of objects were found which belonged to the killed members of the Berisha family. For a list of belongings see the statement by witness Hysni Berisha, Ex. No. P584, *Đorđević,* pp.8-9.

106 Statement by Halil Morina, Ex. No. P2522, *Šainović et al*, p.2; he alleges that the body of Luljete Qarreti was found at the place known as the "Shooting Range" on the Suharekë/Suva Reka -Prizren route, which coincides with the VJ Kroj-I-Popit/Koriše i Ljubižde Shooting Range site. Her body was later found in Batajnica, which points to the relation between these two mass graves. Witness H.Q. alleged in his statement given to the HLC that the body of the killed Bukurije Qarreti was found near the village of Ljubižde, near Prizren. HLC database, statement by witness H.Q. given to the HLC, June 2008.

107 The Company's full name was the "Hygiene, Landscaping, Graveyard and Greenmarkets Maintenance" Public Utility Company from Prizren.

108 Testimony by Ali Gjogaj given before the ICTY in the *Đorđević* case on February 5th, 2009, p. 573.

registration plates.[109] Employees of the "Hygiene" Public Utility Company from Prizren, some of whom were drafted by the Civil Protection Unit, dug out the bodies with the help of excavators and loaded them onto trucks.[110]

40. They worked on the orders issued by the Director of the "Hygiene" Company, Jovan Vujičić, who was at that time a reserve police officer in the Serbian MUP, and of one of the chiefs in this Company, Budimir Spasić, who appeared at the shooting range wearing a military uniform.[111]

41. Police officers dug out the bodies from the second pit, which was located some 15 to 20 metres away from the first pit, with the help of an excavator, and then they loaded them onto the second truck.[112] Members of the police had secured the location; and besides two excavators and two cooler trucks, some four or five police Pinzgauer vehicles were also spotted at the shooting range.[113] Therefore, members of the Serbian MUP participated in the exhumation of the bodies and they used police equipment for this purpose.

42. After this, Gjogaj participated in the exhumation of bodies at the nearby dumpsite, close to the village of Shpenadi/Špinadija, again upon Spasić's and Vujičić's orders. They exhumed 30-40 bodies from this site and loaded them into a smaller sized truck, again with police standing guard duty.[114]

43. The bodies of victims from Mejë/Meja, Korenicë/Korenica and other villages in the Reka e Keq/Reka Valley were buried into several primary graves in the vicinity of Gjakovë/Đakovica.[115]

44. The man who operated the excavator and who was an employee of a private construction company testified, under protection measures and the pseudonym K72, before the ICTY about his participation in the excavation of bodies in the period from late April until late May 1999 at three locations – near the Brigde in Bistrazhin/Bistražin, at the cemetery in Brekoc/Brekovac and in the village of Guskë/Guska and its surroundings. K72 participated in the excavations at these three locations on the order of persons from the MUP, who also organized the entire project.[116]

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109 Ibid. pp. 553, 555, 557, 587; Testimony of Ali Gjogaj given before the District Court in Belgrade in the *Suharekë/Suva Reka case* on December 6th, 2007, p. 12-13.

110 Testimony of Ali Gjogaj given before the ICTY in the *Đorđević* case on February 5th, 2009, pp. 586-587.

111 Testimony of Ali Gjogaj given before the District Court in Belgrade in the case known as *Suharekë/Suva Reka Case* on December 6th, 2007, p. 6; testimony of Ali Gjogaj given before the ICTY in *Đorđević* case on February 5th, 2009, p. 586.

112 Testimony of Ali Gjogaj given before the District Court in Belgrade in the *Suharekë/Suva Reka* case on December 6th, 2007, pp. 9-10; testimony of Ali Gjogaj given before the ICTY in the *Đorđević* case on February 4th, 2009, pp. 553, 547.

113 Testimony of Ali Gjogaj given before the ICTY in the *Đorđević* case on February 5th, 2009, p. 546.

114 Testimony of Ali Gjogaj given before the District Court in Belgrade in *Suharekë/Suva Reka* case on December 6th, 2007, pp. 15-16; testimony of Ali Gjogaj given before the ICTY in *Đorđević* case on February 5th, 2009, pp. 556-558.

115 ICTY Trial Chamber judgment in *Šainović et al.* case, Vol. II, par. 219; ICTY Trial Judgment in *Đorđević*, par. 988.

116 The witness alleged in his statement that prior to the first excavation, a man came to his house and introduced himself as "a Commander from the MUP" and told him that he had some "delicate business" for him to do. In two subsequent instances, police again took him to the excavation sites. Statement given by witness K72, Ex. No. P2551, *Šainović et al.,* par. 13, 16 and 19.

45. In all three cases, the police secured the excavation sites; the witness excavated the bodies from the ground with the help of an excavator; then some people, whom he described as Roma, loaded them into trucks which then drove off in an unknown direction.[117] The truck carrying bodies from Brekoc/Brekovac stopped at the MUP gas station located at the intersection of the Prishtinë/Prishtina-Gjakovë/Đakovica-Prizren roads.[118]

46. Some 100 to 120 bodies were exhumed at the location near the Bridge in Bistrazhin/Bistražin. The number of bodies exhumed in Brekoc/Brekovac was somewhat larger, whilst several tens of bodies were exhumed in the village of Guskë/Guska and at the pump near the village.[119] All the bodies exhumed were male, dressed in civilian clothes and between 30 and 50 years of age.[120]

47. The excavations of the bodies of the killed was completed in late May 1999, and one high-ranking member of the MUP threatened the witness that he could "lose his life" if he ever spoke to anyone about the task that he was involved in.[121] The witness believes that the operation was very well organized and that it had to have been approved by someone holding a high-ranking position.[122]

48. There is information that the bodies of victims killed in the entire municipality of Fushë Kosovë/Kosovo Polje during the NATO intervention were buried in two large and a number of small mass graves dug out next to the railroad in the village of Nakaradë/Nakarade. Members of Serbian forces, as well as people dressed in the orange uniforms of the city utility company, participated in this project.[123] When it comes to the crime committed in the village of Nakaradë/Nakarade, witnesses say that they spotted two police officers and four Roma persons digging up the earth with excavators in the time period between May 20th and 30th, 1999, near the cemetery in the village of Pomazatin/Pomozotin near Fushë Kosovë/Kosovo Polje, and loading or unloading something from a truck with an orange or red tarp. After the war, members of the Norwegian KFOR found personal belongings of the killed members of the Mirena family at this location.[124]

49. There is no information about whether the victims from Sllovi/Slovinje, Lubeniq/Ljubenić, Gjakovë/Đakovica, Pejë/Peć, Vushtrri/Vučitrn and other locations where people, who were killed and whose mortal remains were found in Batajnica, were buried in primary graves in Kosovo and if so, in which primary graves they were buried.

117 K72, witness statement, Ex. No. P2551, *Šainović et al.,* para. 13-19.
118 Ibid, para. 18.
119 Ibid, para. 14, 17, 19.
120 Ibid, para. 13, 17, 19.
121 Ibid, para. 21.
122 Ibid, para. 22.
123 OSCE "As Seen As Told", 1999, p. 236.
124 HLC database, statement by witness S. G. given to the HLC, January 2014.

50. Victims from the locations mentioned herein whose bodies were not found in Batajnica are still registered as missing, or their mortal remains have been found at various locations in Kosovo, mainly at local cemeteries or mass graves located close to the execution sites.

ii. Crimes from which bodies discovered in mass graves in Petrovo Selo originate

51. Bodies of civilians killed after March 28th, 1999 in the municipalities of Skënderaj/Srbica, Gllogoc/Glogovac, Klinë/Klina and Gjakovë/Đakovica in Kosovo, were found in two mass graves in Petrovo Selo. The bodies of KLA soldiers killed at Mount Beleg in late May and of three brothers from the Bytyqi family killed in Petrovo Selo in July 1999, were also found in these mass graves.

52. Mortal remains of victims of the following crimes were exhumed at the Training Centre of the Serbian MUP in Petrovo Selo:

1. **Izbicë/Izbica (Municipality of Skënderaj/Srbica):** the killing of at least 115 Kosovo Albanian civilians, among whom were three women, on March 28th, 1999.[125]

    - The crime in Izbicë/Izbica was committed during a joint VJ and MUP operation. The 35th and 85th Detachments of the Special police units and the 37th MtBr of the VJ participated in the attack on the village.[126]

    - Mortal remains of 29 victims from Izbicë/Izbica were exhumed in Petrovo Selo, while the bodies of 82 victims were found at various sites in Kosovo.[127] The names of four victims are still registered on the ICRC's List of Missing Persons.[128]

2. **Municipality of Gllogoc/Glogovac:** the murder of at least 14 men from the area of Gllogoc/Glogovac, who were imprisoned on April 30th, 1999 in the village of Krajkovë/Krajkovo, then in the village of Gllabar/Globare, and who were seen for the last time on June 14th, 1999.[129]

    - Witnesses allege that, during their stay in Krajkovë/Krajkovo, the imprisoned Kosovo Albanians were held by members of the 37th MtBr of the VJ 105mm Howitzer Division,[130] that a Military Police company from the 37th MtBr of the VJ was located in Gllabar/Globare,[131] and that the prisoners were seen for the last time in Gllabar/Globare when

125 HLC database.
126 ICTY Trial Judgment in *Đorđević*, Vol. 1, par. 614; See HLC's "*Ljubisa Dikovic*" Dossier at http://www.hlc-rdc.org/wp-content/uploads/2012/01/Januar-23-2012-Dikovic-Ljubisa-Dosije.pdf Last accessed on January 17th, 2017.
127 HLC database.
128 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.
129 HLC database.
130 HLC database, statement by witness B.V. given to the HLC, November 1999; statement by witness Z.K. given to the HLC, January 2000; statement by witness T.V. given to the HLC, November 2015.
131 HLC database, statement by witness T.V. given to the HLC, November 2015.

VJ soldiers ordered them to get inside some trucks and took them in an unknown direction.[132]

- Mortal remains of 13 victims who were seen for the last time in the village of Gllabar/Globare were exhumed in Petrovo Selo.[133] The name of one more victim is still registered on the ICRC's List of Missing Persons.[134]

3. Mount Beleg: the murder of 15 KLA soldiers on May 24th and 25th, 1999, during and after the battles in Qafa e Bogiçes/Bogiča Ravine at Mount Beleg.[135]

- KLA soldiers were killed when they fell into an ambush set up by Serb forces.[136] The 125th MtBr of the VJ was at that time deployed in Municipality of Deçan/Dečani, which encompasses Mount Beleg.[137]

- Mortal remains of 14 KLA soldiers killed at Mount Beleg were exhumed in Petrovo Selo, whilst one victim was buried in the village of Kodrali/Kodralija following the conflict.[138]

4. Petrovo Selo (Municipality of Kladovo): the murder of brothers Mehmet, Agron and Ylli Bytyqi in the Special police unit Training Centre on an unidentified day after July 8th, 1999.

- The Bytyqi brothers were in the hands of the police at the time of the murder.[139] Police officers Sreten Popović and Miloš Stojanović were tried before the War Crimes Chamber in Belgrade for this crime, but they were acquitted of all charges.[140] The War Crimes Prosecutor at that time, Vladimir Vukčević, claimed that the former Head of the Training Centre in Petrovo Selo, Goran Petrović Guri, who is now a member of the Main Board of the ruling Serbian Progressive Party, was under investigation for this crime; however, the Office of the Prosecutor has never raised an indictment against him.[141]

132 HLC database, statement by witness B.V. given to the HLC, November 1999; statement by witness Z.K, given to the HLC, January 2000; statement by witness T.V., given to the HLC, November 2015; statement by witness G.G, given to the HLC, February 2015.
133 HLC database.
134 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.
135 HLC database.
136 HLC database, statement by witness A.B., given to the HLC, May 2013.
137 War diary of the 125th MtBr of the VJ, Ex. No. P1616, *Šainović et al.*; statement by Dragan Živanović, Ex. No. P1018, *Haradinaj et al.*
138 HLC database.
139 They were arrested on June 26th, 1999 at the Rudare checkpoint near the border between Serbia and Kosovo as they were trying to help the Minushi and Mitrović families cross the border into Serbia. They were sentenced to 15 days of imprisonment, and after they were released from the District Court in Prokuplje on July 8th, 1999, police officers Sreten Popović and Miloš Stojanović, on the orders of the Higher Command, arrested the Bytyqi brothers once again and took them to the Centre in Petrovo Selo, where they were executed. See the first instance judgment delivered in the repeated trial before the War Crimes Department in Belgrade on May 9th, 2012, *Bytyqi* case, pp. 16-18.
140 See the course of the proceedings at http://www.hlc-rdc.org/Transkripti/bitici.html Last accessed on January 17th, 2017.
141 "Blic" Daily newspaper, "Vukčević: Guri still under observation in Bytyqi case", http://www.blic.rs/vesti/hronika/vukcevic-guri-i-dalje-pod-opservacijom-u-slucaju-bitici/br4p48v last accessed on January 17th, 2017.

- The mortal remains of all three Bytyqi brothers were exhumed in Petrovo Selo.[142]

5. Murders of civilians from the Kosovo villages of Krnjince (Municipality of Klinë/Klina), Kralan/Kraljane (Gjakovë/Đakovica), Kopiliq I Poshtëm/Donji Obilić (Skënderaj/Srbica), Krajkovë/Krajkovo (Gllogoc/Glogovac) and the town of Gllogoc/Glogovac.

- Mortal remains of seven victims from the said locations were exhumed in Petrovo Selo.

Burial of bodies in primary graves and their subsequent excavation from these locations

53. Most information about the burial and subsequent excavation of bodies from primary graves is available regarding the case of victims from Izbicë/Izbica. As has already been stated, their bodies were buried on March 31st, 1999 in individual graves in the village. Serbian forces returned to Izbicë/Izbica on May 28th and exhumed the bodies from their individual graves over the following four to five days.[143] The VJ document which gives an overview of the crimes committed during the NATO intervention contains a note on the discovery of 144 "fresh corpses" in Izbicë/Izbica on May 29th, 1999.[144] The then Head of the VJ General Staff Legal Administration, Radomir Gojović, testified that an investigation was initiated immediately after the discovery of the bodies,[145] but no one has been indicted to date.[146]

54. On the orders of the District Court in Mitrovicë/Kosovska Mitrovica, a forensic specialist from the Military Medical Academy (VMA) in Belgrade, Dr. Gordana Tomašević, together with a team of Serbian experts, participated in the examination and autopsy of the bodies exhumed in Izbicë/Izbica, which were then transported to Mitrovicë/Kosovska Mitrovica.[147] Dr. Tomašević concluded that all of them were killed by bullets from fireguns, and that all of them, except for several in black KLA uniforms, wore civilian clothes.[148] According to the report by Doctor Tomašević, 101 corpses were examined in Mitrovicë/Kosovska Mitrovica.[149] In her witness statement, she stated that the autopsy lasted for 3-4 days, but that she did not know what happened with the bodies afterwards.[150]

55. According to the conclusion of the ICTY Trial Chamber in the *Đorđević* case, at least 29 bodies of victims killed in Izbicë/Izbica on March 28th, 1999, were exhumed from the graves at the PJP Training

142 HLC database.
143 Testimony of Mustafa Dragaj given before the ICTY in the *Đorđević* case on February 5th, 2009, pp. 618-619; testimony of Mustafa Dragaj given before the ICTY in the *Đorđević* case on February 6th, 2009, p.674.
144 Overview of criminal proceedings initiated against perpetrators of crimes in Kosovo and Metohija during the NATO intervention in the period from March 24th until June 10th, 1999, Ex. No. D510, *Đorđević*, p. 68.
145 Testimony of Radomir Gojović given before the ICTY in *Đorđević* case on January 27th, 2010, pp.10335-10336.
146 Ibid.
147 Statement by witness Gordana Tomašević, Ex. No. P2490, *Šainović et al.,* p. 7.
148 Testimony of Gordana Tomašević given before the ICTY in *Šainović et al.* case on November 21st, 2006, pp.7031–7034, 7051–7052.
149 Statement by witness Gordana Tomašević, Ex. No. P2490, *Šainović et al,* p. 7.
150 Ibid.

Centre in Petrovo Selo.[151] According to the HLC's information, 24 bodies of victims of the crime in Izbicë/Izbica committed on March 28th, 1999, were discovered in Petrovo Selo, as well as the bodies of another 10 persons who were killed in the same town but in the period from May 10th until June 1st, 1999. These were not the bodies that had been examined by Dr. Tomašević's team.[152]

56. The HLC did not find information about what was happening with the bodies of persons killed on Mount Beleg or the civilians who were seen for the last time in Gllabar/Globare. As has already been mentioned, the Bytyqi brothers were killed in Petrovo Selo and buried in one of the two mass graves which had previously been filled with corpses.

57. A MUP driver, Božidar Protić, testified in detail about the transport and burial of bodies from Kosovo in the mass graves in Petrovo Selo before the ICTY and the District court in Belgrade [see paragraphs 101-103].

iii. Crimes from which bodies discovered in the mass grave at Lake Perućac originate

58. Bodies of civilians who were killed in two mass executions in Kosovo in late March and early April 1999 in the Municipality of Gjakovë/Đakovica, were discovered in the mass grave located near Lake Perućac.

59. The human remains of the victims who were killed in the following crimes were found in the mass grave near the Lake:

1. **Gjakovë/Đakovica (Municipality of Gjakovë/Đakovica):** the killing of at least 47 civilians, including two women, at a number of locations in the town of Gjakovë/Đakovica, on March 31st, when 11 civilians were killed, and on April 1st, 1999, when 36 civilians were killed.

   - The crimes in which persons whose bodies were found near Lake Perućac – the murder of the men who were taken out of the Kumnova family house on March 31st, 1999, and the murder of the men on April 1st who left the house on Bajram Curri Street – were committed during a joint VJ and MUP operation.[153] At that time, the 549th MtBr of the VJ, 125th MtBr of the VJ, 52nd Military Police Battalion, Gjakovë/Đakovica Military Territorial Detachment and 124th brigade of the special police unit Brigade were stationed in Gjakovë/Đakovica.[154]

151 ICTY Trial Chamber Judgment in *Đorđević* case, Vol. I, par. 632.
152 HLC database.
153 Human Rights Watch "Upon Orders – War Crimes in Kosovo", October 2001, pp.280-288; Events which took place between March 24th and April 2nd, 1999, were also processed before the ICTY in the *Đorđević* case. See the ICTY Trial Chamber Judgment in the *Đorđević* case, Vol. I, pp.324-346; HLC database, statement by witness F.B. given to the HLC, July 2007; statement by witness N.K. given to the HLC, December 2000; statement by witness H.K. given to the HLC, July 2007.
154 ICTY Trial Chamber Judgment in the *Šainović et al.* case, Vol. II, para.95; Order by Prishtina Corps from March 31st, 1999, Ex. No. 6D750, *Šainović et al.*, Minutes from the meeting at MUP Headquarters from May 11th, 1999, Ex. No. P1993, *Prosecutor vs. Šainović et al.*

- The human remains of 30 victims killed in Gjakovë/Đakovica were exhumed near Lake Perućac. These include the bodies of five men killed on March 31st and 25 men killed on April 1st, 1999.[155] Another 12 bodies were found in the town of Gjakovë/Đakovica following the commission of the crimes or after the end of the conflict, whilst one body was found in Prizren. The names of another four persons are still registered as missing on the ICRC's List of Missing Persons.[156]

2. **Kralan/Kraljane (Municipality of Gjakovë/Đakovica):** the killing of 83 civilians at the exit of the village of Kralan/Kraljane in the period April 2nd-4th, 1999.[157]

   - The crime in the village of Kralan/Kraljane was committed during a joint VJ and MUP operation,[158] and there are VJ documents which show that the killed civilians were in the hands of the 125th MtBr of the VJ prior to the killing.[159]

   - The human remains of 19 victims from Kralan/Kraljane were exhumed near Lake Perućac.[160] 16 bodies were found in Kralan/Kraljane, Brekoc/Brekovac and Gjakovë/Đakovica.[161] The ICRC's List of Missing Persons still contains the names of 48 victims.[162]

3. **Deçan/Dečan (Municipality of Deçan/Dečan):** the killing of Ahmet (Halit) Sokolaj (1930) at Deçan/Dečan Police Station on April 4th, 1999; his body was found in the mass grave near Lake Perućac.[163]

Burying and transferring bodies following crimes

60. The HLC does not have any information about the possible burial of the bodies from Gjakovë/Đakovica and Kralan/Kraljane in primary mass graves in Kosovo; and there is no information on their transfer to the location near Lake Perućac.

155 HLC database.
156 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.
157 HLC database.
158 War diary of the 5th Combat Group of the 125th MtBr of the VJ, Ex. No. P2801, *Šainović et al.*
159 HLC database, statements by witness N.G. given to the HLC, February 2000; statement by witness M.K. given to the HLC, January 2008; statement by witness Xh.G. given to the HLC, August 2007; statement by witness I.G. given to the HLC, October 2007; statement by witness O.D. given to the HLC, November 2000; statement by witness R.K. given to the HLC, August 2007; statement by witness K.K. given to the HLC, December 2007; statement by witness H.G. given to the HLC, September 2007; see HLC's Dossier "*125th Motorized Brigade of the Yugoslav Army*", pp.29-31, http://www.hlc-rdc.org/wp-content/uploads/2013/10/Dosije-125.pdf Last accessed on January 17th, 2017.
160 HLC database.
161 Ibid.
162 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.
163 HLC database, statement by witness H.S. given to the HLC, July 2010.

iv. Crimes from which bodies discovered in the mass grave in Rudnica originate

61. Bodies of civilians who were killed at four locations in Kosovo in the municipalities of Skënderaj/Srbica and Gllogoc/Glogovac in the period April 5th-May 27th, 1999 were discovered in the Rudnica mass grave.

62. Human remains of victims of the following crimes were found in the Rudnica mass grave:

1. **Rezallë/Rezala (Municipality of Skënderaj/Srbica):** the killing of 42 Albanian civilians on April 5th, 1999.

   - The crime in Rezallë/Rezala was committed during an operation undertaken by the VJ and MUP under the Command of the 37th MtBr of the VJ.[164]

   - Human remains of 28 victims from Rezallë/Rezala were exhumed in Rudnica.[165] Following the execution, five victims were buried in the village,[166] while nine victims are still registered as missing on the ICRC's List of Missing Persons.[167]

2. **Çikatovë e Vjetër/Staro Čikatovo (Municipality of Gllogoc/Glogovac):** the killing of at least 27 Albanian civilians on April 17th, 1999.[168]

   - The crime in Çikatovë e Vjetër/Staro Čikatovo was committed in a "clean-up" operation undertaken by the 37th MtBr and 15th ArBr of the VJ, with the participation of the 86th Detachment of the Special police units.[169]

   - Human remains of 20 victims from Çikatovë e Vjetër/Staro Čikatovo were exhumed in Rudnica,[170] while another seven victims were found by residents of the village and were buried in the village.[171]

164 See HLC's *"Rudnica"* Dossier, pp.21-27, http://www.hlc-rdc.org/wp-content/uploads/2015/01/Dosije_Rudnica_sr.pdf Last accessed on January 17th, 2017.
165 HLC database.
166 Ibid.
167 See at https://familylinks.icrc.org/kosovo/en/pages/search-persons.aspx Last accessed on January 17th, 2017.
168 In January 2015, the HLC presented to the public its *"Rudnica"* Dossier. See at http://www.hlc-rdc.org/wp-content/uploads/2015/01/Dosije_Rudnica_sr.pdf, pp.18-30 Last accessed on January 16th, 2017.
169 Ibid.
170 HLC database.
171 Ibid.

3. **Zabel i Ulët/Donji Zabelj (Municipality of Gllogoc/Glogovac):** the forced disappearance and execution of four Albanian civilians on May 12th, 1999.[172]

   - According to witness statements, the Army arrested the Albanian men and drove off with them in the direction of Gllogoc/Glogovac.[173] The 37th MtBr of the VJ and 15th ArBr of the VJ were located not far from Zabel i Ulët/Donji Zabelj.[174]

   - The human remains of all four victims from Zabel i Ulët/Donji Zabelj were exhumed in Rudnica.[175]

4. **Gllanasellë/Gladno selo (Municipality of Gllogoc/Glogovac):** the killing of one Albanian civilian on May 27th, 1999.

   - The crime was committed at the time when members of the 3rd Motorized Battalion of the 37th MtBR of the VJ were located in Gllanasellë/Gladno selo.[176]

   - The human remains of Rrahman (Murat) Nika (1946) were found in Rudnica.[177]

Burial and transference of bodies following the commission of the crime

63. The bodies of the civilians killed in Rezallë/Rezala were the responsibility of the 37th VJ MtBr "Clean-up" (Sanitization) Department, which will be further elaborated upon in this Dossier in the chapter which deals with the role of the VJ in the operation of transferring bodies from Kosovo to Serbia [see paragraphs 152-156].

64. Soon after the commission of the crime, the residents buried the bodies from Çikatovë e Vjetër/Staro Čikatovo in four different graves. In early June 1999, the police arrived in the village, according to the witness statements, loaded the bodies into a truck and drove off in an unknown direction.[178]

65. It is not known what was happening with the bodies from Zabel i Ulët/Donji Zabelj and Gllanasellë/Gladno selo following the commission of the crime.

172 Ibid.
173 HLC database, statements by witness B.B. given to the HLC, October 2014; statement by witness H.F. given to the HLC, January 2008.
174 War diary of the 15th ArBr of the VJ, Ex. No. P2572, *Šainović et al.;* See: "Rudnica" Dossier, pp.36-38, last accessed on January 17th, 2017.
175 HLC database.
176 "Rudnica" Dossier. See at http://www.hlc-rdc.org/wp-content/uploads/2015/01/Dosije_Rudnica_sr.pdf, pp.38-39, Last accessed on January 16th, 2017.
177 HLC database.
178 HLC database, statement by witness F.M. given to the HLC, May 2000; statement by witness F.D. given to the HLC, October 2007.

66. The former Chief of the Gllogoc/Glogovac OUP, Petar Damjanac, confirmed before the ICTY that the 37th MtBr was in charge of "sanitizing", i.e. cleaning-up the area in this municipality, and that he maintained contacts with its Clean-up Department for this purpose.[179]

IV. Removal of corpses from Kosovo and their transportation to Serbia

67. The operation to transfer bodies from Kosovo to mass graves in Serbia took place in April and May 1999. All the information about this action was kept secret until 2001, when the then Minister of the Interior, Dušan Mihailović, set up a working group to investigate the allegations of the existence of mass graves in Serbia containing the bodies of Albanians killed during the Kosovo conflict.

i. Working Group of Serbian MUP

68. The bodies of Kosovo Albanian civilians had been successfully hidden in mass graves in Serbia for nearly two years after the conflict, until the spring of 2001, when, thanks to the investigation of the MUP Working Group, some of the facts surrounding this clandestine operation were established and made public. The Working Group was set up on 8 May 2001, on the orders of the then Serbian Minister of the Interior, Dušan Mihajlović,[180] and seven days after a local Zaječar newspaper, *Timočka krimi revija* [Timok Crime Review], published an article titled "50 corpses in a refrigerated lorry – a state secret".[181] The article contained the testimony of Živadin Đorđević a.k.a." Žika", a professional diver from Kladovo, about the discovery of a refrigerated truck containing human bodies at Tekija on the Danube, near Kladovo, eastern Serbia. At the very beginning of the article, the author said that "the police, public prosecutors (district and municipal), investigating judges and most senior officials of the Serbian MUP have all been informed about the discovery of the refrigerated truck", after which this case was declared "a state secret".[182]

69. The Working Group included some of the most senior police officials of the day: Dragan Karleuša, Deputy Head of Crime Police Administration (UKP) of the Serbian MUP, who led the Working Group; Dragan Furdulović from the MUP Division for the Control of Legality of the 3rd UKP Department; Vladimir Dabić; Bora Banjac, Head of the Property Crime Section of the 2nd UKP; and Milorad Veljović, Head of the Department for Improving Operative Actions and the Control of Legality in the UKP.[183] The Working Group produced and made public two reports: "Information", dated 25 May 2001, and "Information II", dated 26 May 2001. The documents presented the findings of the investigation into the refrigerated truck found in the Danube near

179 Testimony of Petar Damjanac before ICTY in the *Šainović et al*. case on March 6th, 2008, pp.23764-23765.

180 Dragan Furdulović, interview with the MUP Working Group, p. 2, Ex. No. 6D1605, *Šainović et al.*; Press release of the Serbian MUP PR service no. 75/01 of 8 May 2001, Ex.No. 6D91, *Šainović et al.*

181 Timočka krimi revija, "50 leša u hladnjači – državna tajna", [Timok Crime Review, "50 corpses in a refrigerated truck – state secret"], 1 May 2001, Ex. No. P565, *Šainović et al.*

182 Ibid.

183 Testimony of Dragan Karleuša before the District Court in Belgrade in *Suharekë/Suva Reka* case, 14 January 2009, p. 5.

Tekija, but also described the entire operation to transport bodies from Kosovo and their burial in mass graves in Serbia.[184]

ii. Clandestine operation to conceal bodies

70. It did not take long before the investigation discovered important information concerning the role of the state leadership of the Republic of Serbia in covering up the crimes committed against Kosovo Albanian civilians in Kosovo. The document titled „Information II" states that the Working Group found out about operational information indicating that in March 1999 a meeting took place in the office of the then President of the Federal Republic of Yugoslavia, Slobodan Milošević. At the meeting, Milošević ordered Vlajko Stojiljković, the then Minister of the Interior, to "take measures to remove all the traces which could lead to any evidence of crimes committed".[185] After that, at least two more meetings were held in connection with the removal of bodies from Kosovo [see paragraph 179].

71. "Information II" does not reveal the source of this information. However, Dragan Karleuša, making a statement to the war crimes investigating judge in Belgrade on a later date said: "At one meeting held in the Minister's [Dušan Mihajlović's] office, I was shown a written statement by Rade Marković,[186] in which he said that the matter was a state secret, classified information, and I was told that that was all I was going to be allowed to see. It is on the basis of that, on what this statement said, that we issued a press release, with almost identical wording".[187]

72. Radomir Marković made the statement Karleuša referred to on 2 June 2001 at the premises of the District Court in Belgrade. The statement was taken by Zoran Stijović, officer of the State Security Department Centre, in the presence of Olivera Antonić-Simić, a recording clerk. When giving evidence in the trial of Slobodan Milošević, Marković tried to challenge the veracity of this statement, but nonetheless confirmed that the signatures on each page of the statement were indeed his.[188]

73. In the statement, Marković said that the March 1999 meeting took place "in the White Palace, at a long conference table in the library on the ground floor, where Slobodan Milošević commonly held meetings."[189] Besides Milošević and Marković, also present were Vlajko Stojiljković, the then Serbian Interior Minister, and Vlastimir Đorđević, Chief of the RJB. According to Marković, Milošević ordered Vlajko Stojiljković to "take the necessary measures to remove the corpses of buried Albanian civilians." [see paragraph 181][190]

184 Information I, MUP of the RS, "Refrigerated Truck" case, 25 May 2001, Ex. No. P387, *Đorđević*; Information II MUP of the RS, "Refrigerated Truck" case, 26 June 2001, Ex. No. P568, *Đorđević*.
185 Information II, MUP of the RS, "Refrigerated Truck" case, 26 June 2001, Ex. No. P568, *Đorđević*.
186 Radomir Marković was the Chief of the State Security Department of the Serbian MUP.
187 Witness statement of Dragan Karleuša given to an investigative judge of the District Court in Belgrade, April 2004, case no. *Kri.V. 1/04*.
188 Testimony of Radomir Marković before the ICTY in *Milošević*, 26 July 2002, pp. 300, 3002-303.
189 Ibid, p. 1.
190 Ibid.

74. After a short while, another meeting took place, this time in Vlajko Stojiljković's office, at which Stojiljković designated Dragan Ilić, Head of the MUP Crime Police Administration, and Vlastimir Đorđević, Chief of the RJB, to carry out the task designated by Milošević.[191] Besides Ilić and Đorđević, Obrad Stevanović, Deputy Interior Minister, Branko Đurić, Chief of the Belgrade SUP, Sreten Lukić, Head of the MUP Staff in charge of Kosovo, and Dragiša Dinić, Assistant Chief of the RDB, also knew about the operation, and "probably all other members of the Collegium of the MUP too".[192] The Collegium comprised the Minister, Chief of the RJB, Chief of the RDB and his assistant, all other assistant ministers, Head of the Crime Police Administration and Chief of the Belgrade SUP.[193] Besides them, generals Petar Zeković and Nikola Ćurčić also became members of the Collegium pursuant to a decision of the Interior Minister in December 1998.[194]

75. Marković also said in his statement that for the purpose of carrying out the operation to remove the bodies from Kosovo, Dragan Ilić was sent to Kosovo "with a certain team of associates."[195] This was decided at a third meeting dealing with the disposal of bodies which took place in April 1999 in the interim office of the Chief of the RJB, Đorđević, located in the building housing the Main Committee of the Socialist Party of Serbia in Belgrade's Studentski Trg.[196] When interviewed by the Working Group, Slobodan Borisavljević, former Chief-of-Staff of Đorđević's office, said that at this meeting it was agreed to send people to Kosovo who would provide "professional assistance" to the police officers on the ground.[197] So it was decided to send to Kosovo, besides Ilić, "officers of the Crime Police Administration, namely Vladimir Aleksić, Head of the Crime Investigation Centre, and Desimir Radić, the Head of the Department".[198]

76. In a conversation with Radomir Marković, Dragan Ilić said that "significant help was provided to him in this job ["sanitizing" the terrain] by MUP Colonel Goran Radosavljević and his men, who actively helped him to carry out the tasks".[199]

iii. The "Refrigerated Truck" case

77. The investigation launched by the MUP Working Group focused on verifying the allegations of the discovery of a refrigerated truck containing human bodies at Tekija, near Kladovo, which emerged in the said article published in *Timočka krimi revija.* To this end, the Working Group conducted 30

191 Testimony of Dragan Karleuša before the ICTY in *Milošević*, 22 July 2002, p. 79.
192 Witness statement of Radomir Marković, Ex. No. P283, *Milošević*, p. 2.
193 Decision establishing the Collegium of the Ministry of the Interior of 4 December 1998, Ex. No. P208, *Đorđević.*
194 Ibid.
195 Written statement of Radomir Marković, Ex. No. P283, *Milošević,* p. 2.
196 Serbian MUP Working Group's second interview with Slobodan Borisavljević, Ex. No. P390, *Đorđević,* p. 1.
197 Ibid.
198 Ibid, see also the testimony of Dragan Karleuša before the District Court in Belgrade in *Suharekë/Suva Reka* case, 14 January 2009, p. 24. When giving evidence before the ICTY, Vlastimir Đorđević also said that Dragan Ilić went to Kosovo, *Đorđević*, 11 December 2009, pp.9986-9987.
199 Statement of Radomir Marković, Ex. No. P283, *Milošević,* p. 2.

interviews.[200] The refrigerated truck at Tekija was the subject of both ICTY cases relating to crimes against Kosovo Albanians, and evidence regarding this matter was also presented at the unfinished trial of Slobodan Milošević.

Chronology

78. On 4 or 5 April 1999, a local fisherman reported to the police in Kladovo that a truck's freight container had surfaced in the Danube near the village of Tekija.[201] Soon afterward, Boško Radojković, a crime scene technician at the Kladovo OUP, arrived at the scene, together with diver Živadin Đorđević. Đorđević said to the MUP Working Group that "on diving into the water" he observed that it was a Mercedes refrigerated truck, with a key still in the lock, and "a rock weighing about 5 kilos placed on the accelerator pedal".[202]

79. Thereafter a crane from the "Đerdap" hydro-electric power plant was brought to the scene and two workers of the plant came to help haul the truck ashore,[203] but all they could manage to do was pull it closer to the shore. Radojković then went to the Kladovo OUP and informed his superior, Milan Stevanović,[204] Chief of the Crime Prevention Squad at the Kladovo OUP, about the discovery. That night, a report was dispatched to the duty officer at the SUP in Bor. [205]

80. The following day, between 13:00 and 14:00 hours, the truck was partially pulled to the shore with a larger crane which also came from the hydro-electric plant. During this operation, Boško Radojković noticed parts of human bodies protruding from the freight compartment of the truck.[206] When the freight compartment was finally hauled ashore, they opened it and all the people present could see that it contained corpses piled on top of each other.[207] The markings on the door of the truck read "PIK Progres- Export Slaughter House – Prizren".[208]

81. Besides Radojković and Đorđević, the following persons were present at the scene when the truck was opened: the above-mentioned Milan Stevanović, Momčilo Sujiranović, Nenad Popović and Jovan Dobrić – all employees of the Kladovo OUP; at least two workers at the hydro-electric plant; a municipal investigating judge from Kladovo, Tomislav Milojković; deputy municipal prosecutor,

200 Information I, MUP of the RS, "Refrigerated Truck" case, 25 May 2001, Ex. No. P387, *Đorđević*.
201 As witnesses mentioned different dates in regard to this event, for Information I of the MUP Working Group of 25 May 2001 it was decided to take 5 April 1999 as the date of its discovery, as did the ICTY Trial Chamber in the *Šainović et al* case. On the other hand, the ICTY Trial Chamber in the *Đorđević* case took April 4th as the more probable date.
202 Official note of the Serbian MUP Working Group on the interview held with Živadin Đorđević, Ex. No. P399, *Đorđević,* p. 1.
203 Ibid, p. 2.
204 Testimony of Boško Radojković before the ICTY in *Đorđević*, 4 March 2009, pp.1818-1819.
205 Testimony of Boško Radojković before the ICTY in *Šainović et al.*, 27 November 2006 p. 7435.
206 Ibid, p.7437.
207 Ibid, p.7439.
208 A photograph taken by Boško Radojković during the pulling out of the refrigerated truck from the Danube, Ex. No. P362, *Đorđević.*

Mirko Petković; and the Municipal coroner.[209] When it became clear that the truck contained corpses and that the matter was not within the competency of the municipal judicial authorities, the District Public Prosecutor Krsta Majstorović and Investigative Judge Milorad Momčilović were informed of the discovery.[210]

82. That evening, a meeting was held in the Kladovo OUP building, chaired by Vukašin Sperlić and attended by several members of the Kladovo OUP (Stevanović, Sujiranović, Popović, Radojković), to discuss how to hide the corpses discovered in the refrigerated truck from the public.[211]

83. On the third afternoon following the discovery of the truck, Časlav Golubović, Chief of the SUP in Bor, and Toma Miladinović, Head of the Crime Police Administration of the SUP in Bor, joined the operation aimed to conceal the corpses. The two arrived in Kladovo later that evening and held a meeting at the Kladovo OUP with the Chief of Kladovo OUP Vukašin Sperlić, the Head of the Crime Police Department of the Kladovo OUP Milan Stevanović, and the Head of the Border Affairs Department Branislav Mitrović. The meeting was also attended by State Security members from the region - Slobodan Aleksić (Head of State Security Centre in Zaječar), Zoran Đikanović and Petar Florić.[212]

84. Already during the meeting, Golubović spoke on the telephone with the Chief of the RJB Vlastimir Đorđević, after which the two had at least two more telephone conversations. Đorđević ordered Golubović to have the corpses removed from the refrigerated truck and buried at night somewhere in the Kladovo area. When they all realised that they lacked the logistics to execute this task, Đorđević ordered that the corpses be transferred to Belgrade.[213]

85. At the request of the police, Sreten Savović, director of the "Komunalac" municipal utility company from Kladovo, later the same evening approved the use of the company's FAP dump truck and of several workers from the company for the purpose of loading the corpses onto a truck.[214] Members of the RJB and RDB also took part in the loading.[215] 30 corpses were loaded onto the dump truck that night.[216] On the orders of Časlav Golubović, Chief of the SUP in Bor, his own driver, Ljubinko Ursuljanović,

209 Official note of the Serbian MUP Working Group on the interview held with Milan Stevanović, Ex. No. P398, *Đorđević*, pp. 1-2.
210 Ibid.
211 Testimony of Boško Radojković before the ICTY in *Šainović et al.*, 27 November 2006, pp.7440-7441; Testimony of Boško Radojković before the ICTY in *Đorđević*, 3 March 2009, pp. 1773-1774, 1837.
212 Official note of the Serbian MUP Working Group on the interview held with Milan Stevanović, Ex. No. P398, *Đorđević*, p. 2; Official note of the Serbian MUP Working Group on the interview held with Boško Radojković, Ex. No. P367, *Đorđević*; p. 3; Statement of Časlav Golubović, Ex. No. P352, *Đorđević,* p.2.
213 Statement of Časlav Golubović, Ex. No. P352, *Đorđević,* pp.3-4.
214 Official note of the Serbian MUP Working Group on the interview held with Sreten Savović, director of the "Komunalac" public utility company from Kladovo, Ex. No. P408, *Đorđević*, p.1
215 Official note of the Serbian MUP Working Group on the interview held with Jovan Dobrić, Ex. No. P401, *Đorđević,* p.1.
216 Witness statement of Boško Radojković before the ICTY in *Šainović et al.*, 27 November 2006, p.7448.

drove off the truck, escorted by a police patrol vehicle.[217] Ursuljanović was told to transport the truck to Bubanj Potok, near Belgrade. On the way there, he received instructions on the phone from a man who introduced himself as a "State Security colonel".[218] At Bubanj Potok, Ursuljanović was met by two men in a Volkswagen Golf vehicle, who escorted the truck to the "Jugopetrol Zmaj" petrol station near Zemun. At the petrol station, the two men, who introduced themselves as State Security officers, took over the truck from Ursuljanović.[219]

86. The following day, the truck loaded with corpses was pulled out completely from the Danube, and another 53 corpses and 3 heads were removed from it in the evening.[220] As agreed between Golubović and General Đorđević,[221] another truck, a civilian Mercedes, licence plates RP-18BG, arrived in Kladovo from Belgrade. At its wheel was MUP employee Božidar Protić,[222] accompanied by police Major Dušan Perić.[223]

87. Protić was a driver at the police,[224] and Perić worked at the Organisation Department of the MUP Police Administration.[225] The two were ordered by their superior officers to go to Tekija, contact the Chief of Kladovo OUP, Sperlić, collect the corpses at Tekija and "transport them safely to the '13th May' SAJ Centre in Batajnica".[226] Protić and Perić arrived in Kladovo in the afternoon. At night, the corpses were loaded onto the truck in the presence of Sperlić and Golubović, and Protić then drove off to Batajnica.[227] In the early hours of the next morning, the truck entered the "13th May" Centre, where a person unknown to them told Protić and Perić to park the truck "alongside the Danube and the wall of a 300-metre-large firing range".[228] Two days later, Protić returned to Batajnica to retrieve the truck and drive it back to its owner.[229]

88. A total of 83 corpses and three heads were found in the refrigerated truck and then transported on two trucks to Batajnica.

89. The refrigerated truck that was pulled out of the Danube at Tekija was transported by a trailer to the MUP training ground in Petrovo Selo and destroyed there. This operation was coordinated with

217 Official Note of the Working Group of Serbian MUP on interview with Ljubinko Ursuljanović, Ex. No. P403, *Đorđević,* p.1.
218 Ibid.
219 Ibid, pp.1-2.
220 Testimony of Boško Radojković before the ICTY in *Šainović et al.*, 27 November 2006, p.7475.
221 Statement of Časlav Golubović, Ex. No. P352, *Đorđević*, pp.3-4.
222 Official Note of the Working Group of Serbian MUP on the interview with Božidar Protić, Ex. No. DP586, *Šainović et al.,* p.1.
223 Ibid.
224 Ibid.
225 Official Note of the Working Group of Serbian MUP on the interview with Duško Perić, Ex. No. P410, *Đorđević,* p.1.
226 Ibid.
227 Official Note of the Working Group of Serbian MUP on the interview with Božidar Protić, Ex. No. P586, *Šainović et al.* pp.2-3.
228 Ibid,p. 3.
229 Ibid.

the top officers of the OUPs in Kladovo and Bor and carried out by Boško Radojković, Jovan Dobrić, a crime scene technician at the Kladovo OUP, and Mile Bogdanović, who drove the trailer.[230] In Petrovo Selo, the men first set the refrigerator truck on fire. Seeing that it would not be enough to destroy it completely, Radojković blew it up with explosives.[231]

Organisers of the removal of corpses and their transportation to Batajnica

90. The operation to pull out the corpses from the Danube and transport them to Batajnica was coordinated by top police officials. Many members of the RDB and RJB participated in it, as well as a certain number of civilians, employees of the "Komunalac" utility company and the "Đerdap" hydro-electrical power plant. When the truck loaded with corpses surfaced in the Danube, the Interior Minister and Chief of the RJB, Vlastimir Đorđević, declared the case a state secret and launched the action code-named "Dubina 2" [Depth Two] in an attempt to cover up the crimes committed.[232]

91. In this operation, orders were issued by the most senior police officials and passed down the chain of command to those who implemented them on the ground. As mentioned previously, in the course of pulling the corpses out of the Danube, Časlav Golubović, the Chief of SUP in Bor, received orders from his superior officer in Belgrade – the Chief of the RJB, General Vlastimir Đorđević. And Đorđević, according to his testimony before the ICTY, coordinated the action to remove the corpses with the Serbian Interior Minister, Stojiljković.[233]

92. The police officers and the civilians from "Komunalac" and „Đerdap" hydro-electric power plant acted on the orders of the most senior officers of the Bor SUP and Kladovo OUP: chiefs Časlav Golubović and Vukašin Sperlić, and the the Chief of Crime Police Department of the SUP in Bor, Toma Miladinović.[234] Božidar Protić received the order to participate in the transportation of the corpses from Tekija to Batajnica from his superior, Dragić Nenadić, head of the department for the use and maintenance of the vehicles of the Joint Affairs Administration, who told Protić that before issuing the order, he had spoken with General Petar Zeković, Assistant Minister of the Interior.[235]

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230 Official note of the Serbian MUP Working Group on the interview held with Jovan Dobrić, Ex. No. P401, *Đorđević*, p. 2; Official note of the Serbian MUP Working Group on the interview held with Milan Stevanović, Ex. No. P398, *Đorđević*, p. 3.

231 Testimony of Boško Radojković before the ICTY in *Šainović et al.*, 27 November 2006, p.7453.

232 Information II, MUP of the Republic of Serbia, the „Refrigerated Truck" case, 26 June 2001, Ex. No. P568, *Đorđević*, p. 3.

233 Testimony of Vlastimir Đorđević before the ICTY in *Đorđević*, 7 December 2009 p.9712.

234 Testimony of Boško Radojković before the ICTY in *Šainović et al.*, 27 November 2006 pp.7448-7453;Testimony of Časlav Golubović before the ICTY in *Šainović et al.*, 27 November 2006, p.7409; Official note of the Serbian MUP Working Group on the interview held with Dimitrije Bandokić, worker of the "Komunalac" utility company, see at http://www.jugiliks.com/images/Pdf/hladnjace/bondokic%20dimitrije.pdf, accessed on 12 January 2017; Official note of the Serbian MUP Working Group on the interview held with Živadin Đorđević, Ex. No. P399, *Đorđević*; Official note of the Serbian MUP Working Group on the interview held with Ljubinko Ursuljanović, Ex. No. P403, *Đorđević*, p.1.

235 Testimony of Božidar Protić before the ICTY in *Šainović et al.*, 9 March 2007, p.11320.

Duško Perić, who accompanied Protić on this task, was given this assignment by Ljubomir Aleksić, Deputy Head of the Police Administration.[236]

93. An important role in operation "Depth Two" was played by Dragan Ilić, head of the Crime Police Administration. The relevant documents show that Ilić requested from General Vlastimir Đorđević that the civilians who helped in the removal of the bodies from the refrigerated truck at Tekija, in particular workers of the "Komunalac" utility company, be paid for their work. On 19 April 1999, Ilić submitted a written request to General Đorđević asking him to authorise the payment of "10,000 dinars for operational expenses incurred during the implementation of operation 'Depth Two'".[237] The request was approved and on 22 April 1999 Đorđević issued a payment order, and Dragan Ilić signed him a receipt.[238] Vladimir Aleksić, head of the Crime Investigation Centre and Ilić's subordinate, delivered the money to Časlav Golubović,[239] after which Golubović's subordinate in OUP Kladovo Toma Miladinović[240] paid 2,000 dinars to each of the five workers.[241]

94. Although a former Chief of RDB, Radomir Marković, said to an officer of the RDB Centre in Belgrade that he would not "allow the RDB to be involved in the macabre story of the subsequent digging up and transportation of corpses", evidence indicate that some of his subordinates were involved in operation "Depth Two".

95. It has been mentioned previously that the meeting held at the Kladovo OUP in order to discuss measures to remove the corpses from the Danube was attended by RDB members Slobodan Aleksić, Zoran Đikanović and Petar Florić.

96. Moreover, the statements of the participants in operation "Depth Two" indicate that RDB members were present at the scene throughout the process of removing and transporting the bodies from Tekija to Batajnica. Milan Stevanović, head of the Crime Prevention Squad of the Kladovo OUP, stated that Petar Folić was present at the scene while the corpses were loaded onto another truck, and that a reserve officer of the RDB, Dragiša Konstadinović, participated in the loading of the corpses onto that

236 Official note of the Serbian MUP Working Group on the interview held with Duško Perić, Ex. No. P410, *Đorđević*; p. 1; Official note of the Serbian MUP Working Group on the interview held with Ljubomir Aleksić, Ex. No. P593, *Šainović et al.*, pp.1-2.

237 Request for the payment of operational expenses dated 19 April 1999, Ex. No. P391, *Đorđević.*

238 Payment order and receipt dated 22 April 1999, Ex. No. P392, *Đorđević.*

239 Testimony of Vlastimir Đorđević before the ICTY in *Đorđević*, 11 December 2009, pp.9985-9986; Testimony of Časlav Golubović before the ICTY in *Đorđević*, 2 March 2009, p.1667.

240 Official note of the Serbian MUP Working Group on the interview held with Dimitrije Bandokić, p. 1, see at http://www.jugiliks.com/images/Pdf/hladnjace/bondokic%20dimitrije.pdf, accessed on 12 January 2017; Official note of the Serbian MUP Working Group on the interview held with Dragan Stojanović, p. 1, see at http://www.jugiliks.com/images/Pdf/hladnjace/stojanovic%20dragan.pdf accessed on 12 January 2017.

241 Operation „Depth Two", payment of operational expenses, document of the RJB dated 22 April 1999, Ex. No. P393, *Đorđević*.

truck.[242] Other members of the Bor and Kladovo MUP also said that RDB members participated in loading the corpses.[243]

97. It has been mentioned previously that Ljubinko Ursuljanović, who drove the first truck loaded with the corpses found at Tekija, during the ride received instructions from a certain "RDB colonel", and that the truck was taken over by RDB members near Zemun.

98. There are indications that Slobodan Aleksić, Chief of the RDB Centre in Zaječar, informed "his line of command" about the discovery of the refrigerated truck at Tekija at the same time when Golubović informed Đorđević about it.[244] On 6 May 2001, twenty days before the first information about the MUP Working Group emerged, Aleksić compiled a report based on the information the RDB Centre in Zaječar possessed regarding the discovery of the refrigerated truck in the Danube near Tekija and the transportation of the corpses to Batajnica. This makes it clear that the RDB had detailed knowledge of the entire operation.[245]

iv. Transportation of corpses from Kosovo to Serbia

99. The most detailed accounts of the transportation of the bodies of killed Albanian civilians from Kosovo to Serbia have been given, both to the ICTY and domestic courts and investigation authorities, by Božidar Protić, former driver at the Serbian MUP, and Čedomir Šakić, the police officer who accompanied Protić on these journeys. Protić claimed that after transporting the corpses from Tekija to the "13th May" Centre in Batajnica, he made another three journeys from Kosovo to Serbia to transport corpses to mass graves in Serbia, and Šakić recounted a fourth trip the two had made together.

100. In mid-April 1999, some ten days after the first transport of corpses from Tekija to Batajnica had taken place, Protić received a telephone call from General Petar Zeković, the then Assistant Minister of the Interior. Zeković praised Protić, saying that he was a "good and reliable employee" whose father and wife also worked for the police, and ordered him to go to the "Gemaks" company in New Belgrade, right across from a flea market, take a Tatra truck which was parked there and drive it to Prishtina. Zeković also gave him a telephone number he was to call on arriving in Prishtina, to receive further instructions.[246]

242 Official note of the Serbian MUP Working Group on the interview held with Milan Stevanović, Ex. No. P398, *Đorđević,* p.3.

243 Official note of the Serbian MUP Working Group on the interview held with Časlav Golubović, Ex. No. P396, *Đorđević*, p.2; Official note of the Serbian MUP Working Group on the interview held with Jovan Dobrić, Ex. No. P401, *Đorđević*, p.2; Official note of the Serbian MUP Working Group on the interview held with Boško Radojković, Ex. No. P367, *Đorđević,* p.4.

244 Official note of the Serbian MUP Working Group on the interview held with Časlav Golubović, Ex. No. P396, *Đorđević,* p.2.

245 Information of the RDB Centre in Zajecar of 6 May 2001, Ex. No. P45, *Đorđević.*

246 Official note of the Serbian MUP Working Group on the interview held with Božidar Protić, Ex. No. P586, *Šainović et al.,* p.3.

101. Following Zeković's instructions, Protić went to Prishtina, where he was instructed, by telephone, to follow a Volkswagen Golf on the road to Skopje, Macedonia. He followed the car to the village of Janjevë/Janjevo, 10 km south-east from Prishtina. In Janjevë/Janjevo, he was met by local police officers, who took him to a place where approximately 17 corpses were unloaded from a tractor and loaded onto the truck he was driving.[247] Once the loading was completed, Protić headed for Serbia. When he arrived in Kladovo, the Chief of the Kladovo OUP, Vukašin Sperlić, told him to drive his load to Petrovo Selo, where the bodies were later buried [see paragraph 125].[248]

102. Having transported the corpses to Petrovo Selo, Protić was ordered by General Zeković to take a MAN dump truck from the police. A few days later he was again sent to Kosovo – to the southern part of Mitrovicë/Kosovska Mitrovica – to collect more bodies. The bodies of killed Kosovo Albanian civilians were loaded onto his truck in a garage for repairing the machinery of a local wood-processing plant.[249] It is believed that more than 50 corpses were loaded onto the truck on that occasion.[250] Present during the loading were 15 members of the police, whom Protić described as "heads of secretariats who were sent to Kosovo from OUPs in Serbia".[251] He again transported the bodies to Petrovo Selo, where they were buried.[252]

103. Five or six days later, Protić was ordered by General Zeković to travel to Prishtina with Čedomir Šakić, in a service passenger vehicle Toyota.[253] Near the centre of Prishtina, at the car park belonging to the "Rilindja" publishing company, he collected a Scania refrigerated truck which he estimated contained roughly 500 corpses.[254] Following telephone instructions he received from a police employee whose name he could not remember, he transported the corpses to the "13th May" Centre in Batajnica.[255]

104. The burials of corpses in Petrovo Selo, Batajnica and at Lake Perućac will be discussed in a separate section of this Dossier [see Chapter V].

247 Statement that Božidar Protić gave to an investigative judge of the District Court in Belgrade on 5 December 2003 in *Kriv.V.br. 1/03*, Ex. No. P2816, *Šainović et al.*, p.4; Witness statement of Božidar Protić before the ICTY in *Šainović et al.*, 9 March 2007, p.11322.

248 Notes of the interview conducted by Deputy War Crimes prosecutor Dragoljub Stanković, 29 June 2006, no. 3/4-3-1, br.407/06, Ex. No. P2817, *Šainović et al.,* p.3.

249 Statement that Božidar Protić gave to an investigative judge of the District Court in Belgrade on 5 December 2003 in *Kriv.V.br. 1/03*, Ex. No. P2816, *Šainović et al.,* p.5.

250 Testimony of Božidar Protić before the ICTY in *Šainović et al.*, 9 March 2007, p.11322.

251 Ibid, p.11329.

252 Ibid, p.11322.

253 Official note of the Serbian MUP Working Group on the interview held with Božidar Protić, Ex. No. P586, *Šainović et al.,* p.4.

254 In the statement he gave to the investigative judge of the District Court in Belgrade Milan Dilparić, and in an interview with the Deputy War Crimes Prosecutor Dragoljub Stanković, Božidar Protić mentioned 500 corpses, whereas the Official Note of the Serbian MUP Working Group states that he mentioned 300 corpses when interviewed by the Working Group.

255 Testimony of Božidar Protić before the ICTY in *Šainović et al.*, 9 March 2007, pp.11327-11328.

105. As mentioned above, on his journeys to Kosovo Protić was accompanied by another MUP employee – Čedomir Šakić. When giving evidence to the ICTY, Šakić denied Protić's claim that during the transportation of corpses he coordinated actions with Sreten Lukić, Head of the MUP Staff in charge of Kosovo. Apart from the question of the role of Sreten Lukić in this operation, Protić's and Šakić's statements did not agree in another couple of details, namely, the number of their journeys to Kosovo and the chronological order of the locations where they collected corpses.

106. To Šakić's recollection, they did not transport corpses from Kosovo to Serbia three, but four times, and the chronological order was not that claimed by Protić. Šakić said that their first journey to Kosovo took place in late April 1999, when he, Protić and another two policemen travelled to Prishtina in a Puch vehicle, with another four members of the MUP, who travelled in another vehicle.[256] They drove up to the market place in Prishtina, where Protić collected a refrigerated truck loaded with corpses. Šakić recounted the event in detail, saying that at the car park from where they collected the refrigerated truck there were persons in uniforms and in plain clothes, and that he drove behind Protić all the way until he reached the Belgrade Ambulance Centre.[257]

107. The testimony of Čedomir Šakić about the remaining three journeys tallies for the most part with the accounts of Protić, except for the chronological order of the journeys. According to Šakić, the first journey was when they collected the truck from the "Rilindja" car park, the second was from Mitrovicë/Kosovska Mitrovica, and the last was from Janjevë/Janjevo.[258]

108. On all four occasions, Šakić received orders to accompany Protić from his superior officer, Colonel Mladen Šipovac, who, he was told, was the head of the MUP security unit.[259]

109. In a statement he gave to the investigative judge of the District Court in Belgrade, Milan Dilparić, on 5 December 2003, Protić said that he had been receiving telephone threats for a year. People unknown to him, he claimed, told him that he had "betrayed" them, and consequently, he expressed concern for the safety of his family and sought help from the competent authorities.[260] Despite the threats, Protić in March 2007 gave evidence for the prosecution before the ICTY in *Šainović et al.*[261]

110. It is known that at least another two MUP drivers besides Protić were involved in the transportation of the bodies of killed Kosovo Albanian civilians from Kosovo to Serbia – Dragan Bašanović and Bogdan Lipovac. The Official Note of the MUP Working Group states that Vladimir Kalinić, an employee of the Joint Affairs Administration who worked at petrol stations controlled by the police, said that Bašanović and Lipovac during April 1999 filled up the tanks of their service trucks

256 Testimony of Čedomir Šakić before the ICTY in *Šainović et al.*, 11 February 2008, pp.22079-22081.
257 Ibid, pp.22081-22083.
258 Ibid, pp.22083-22095.
259 Ibid, p.22079.
260 Statement that Božidar Protić gave to an investigative judge of the District Court in Belgrade on 5 December 2003 in *Kriv.V.br. 1/03*, Ex. No. P2816, *Šainović et al.*, pp. 21-22.
261 Božidar Protić testified before the ICTY in *Šainović et al.* on 9 March 2007.

at the "Sunce" petrol station in New Belgrade, which was controlled by the Serbian MUP at the time.[262] The Furgon trucks they drove had Kosovo license plates and emanated "an excruciating stench".[263] Kalinić also said that Božidar Protić filled up the service truck at the police-controlled petrol station in Belgrade's Grčića Milenka Street.[264]

111. Bašanović's and Lipovac's journeys to the "13th May" Centre to deliver the corpses of Kosovo Albanians are discussed in the following section.

V. Burial of corpses

i. "13th May" Centre in Batajnica near Belgrade

112. Five mass graves were found at the "13th May" Centre near Belgrade, containing the mortal remains of 744 persons. Two protected witnesses, K87 and K88, and Živko Trajković and Zoran Simović, commanders of the Special Counter Terrorism Unit of the MUP, have provided a detailed account before the ICTY of how bodies arrived at the "13th May" Centre.

113. Following the discovery of the bodies contained in the refrigerated truck that had surfaced at Tekija and their transfer to the Belgrade area, the Chief of the RJB, Vlastimir Đorđević, called witness K-87 to his office, and explained to him that the "13th May" Centre contained the bodies of victims of the NATO bombing who should be buried at the Centre.[265] Having received instructions from Đorđević, witness K-87 was joined by another MUP member, witness K-88, who the following day picked up an excavator from a construction company and drove it to the Center.[266] He then dug a hole, 40 metres long and two metres deep, near the 300-metre-wide firing range, and the corpses from two trucks were dumped into the hole and covered with earth.[267] These events took place between 6 and 9 April 1999.[268]

114. Throughout April and most probably also into early May 1999, trucks carrying corpses continued arriving at Batajnica. According to K-88's estimate, after the bodies contained in the first two trucks were buried in early April 1999, several other trucks carrying the bodies of Kosovo Albanians arrived at the "13th May" Centre over a period of 20 days "intermittently, every two or three days", on at least six occasions.[269] The corpses were buried in new holes, following the same pattern as that used with the first two trucks.

262 Official note of the Serbian MUP Working Group on the interview held with Vladimir Kalinić, p. 1, see at http://www.jugiliks.com/images/Pdf/hladnjace/kalinic%20vladimir.pdf accessed on 12 January 2017.
263 Ibid.
264 Ibid.
265 Statement of K87, P1415, *Đorđević,* para.13.
266 Ibid, para.18.
267 Statement of K88, Ex. No. P370, *Đorđević,* para.19.
268 ICTY Trial Chamber Judgment in *Đorđević*, Vol. II, paras.1329 and 1332.
269 Statement of K88, Ex. No. P370, *Đorđević*, para.31.

115. Several uniformed policemen were present at the time of the burial of the corpses at the "13th May" Centre,[270] and at least one member of the State Security Department, who told witness K-88 that "he could be killed" if he spoke to anyone about the burials.[271]

116. MUP members Bogdan Lipovac and Dragan Bašanović were also present at the "13th May" Centre at the time of the burials. Lipovac was the personal driver of General Vlastimir Đorđević at the time, and Bašanović was the personal driver of General Petar Zeković.[272]

117. Bašanović and Lipovac were present when the first truck-load of corpses was buried at Batajnica in early April 1999, with one of them being at the wheel of the truck from which the corpses were unloaded into a previously dug hole.[273] Also, there are indications that the two also delivered corpses to the "13th May" Centre.[274]

118. Likewise, there is evidence indicating that Bogdan Lipovac served as a liaison between K-87 and General Đorđević. The Official Notes dated 22 June 2001 cite the following statement of witness K-87: "After that [referring to the first burial of corpses], the job ran smoothly - it was Lipovac who would usually inform me by telephone, saying 'it's arriving this evening'; and after the first delivery, I informed Lipovac that 'the job's been done'".[275]

119. The same document cites the claim of witness K-87 that he informed the Special Counter Terrorism Units of the Serbian MUP (SAJ) commanders of the burial of the corpses: "I took commanders Simović and Trajković to the location where the corpses had been buried and showed it to them so that they knew, in case other works were planned to be done at that specific location".[276]

270 Testimony of K88 before the ICTY in *Đorđević*, 5 March 2009, pp.1871-1872; Statement of K88, Ex. No. P370, *Đorđević*, para. 22.

271 Statement of K88, Ex. No. P370, *Đorđević*, para.35.

272 Statement of Vlastimir Đorđević before the ICTY in *Đorđević*, 11 December 2009, p.9988; Official notes of the Serbian MUP Working Group on the interview held with Vladimir Kalinić, p.1, see at http://www.jugiliks.com/images/Pdf/hladnjace/kalinic%20vladimir.pdf, accessed on 12. January 2017.

273 This finding of the ICTY Trial Chamber in the Trial Chamber Judgment against Vlastimir Đorđević was made on the basis of the confidential segments of statements of the protected witnesses. See ICTY Trial Judgment in Đorđević, vol. II, paras.1332 and 1333.

274 In an interview with the MUP Working Group, Vladimir Kalinić said that Bašanović and Lipovac filled up the trucks that emanated the stench of decomposing corpses at an MUP petrol station, so it is likely that the two participated in the transportation of the bodies of Kosovo Albanians to Batajnica. Moreover, while cross-examining General Vlastimir Đorđević before the ICTY, Prosecutor Stamp asked him the following question: "K93 and another witness, K88, testified that Bogdan Lipovac and Dragan Bašanović were the two individuals who drove some of the trucks containing corpses to Batajnica. Do you know anything about that?"

275 Official notes of the MUP Working Group of 22 June 2001, p.2.

276 Ibid, p.3.

120. At the time of the burial of the corpses, Živko Trajković was the Commander of the SAJ. When giving evidence before the ICTY, he admitted to having been informed in mid-April 1999 of the burials taking place at the "13th May" Centre at Batajnica". He said that the "head of the Centre" told him that corpses had arrived at the Centre on several occasions and were buried there.[277]

121. Trajković had two conversations with General Đorđević about the burial of corpses. The first time was in early June 1999, when Đorđević told him that the decision to bury the bodies at Batajnica was made by persons "far more important than himself and Trajković", adding that it was a "state secret".[278] The second conversation, as Trajković remembers, took place after the end of the NATO intervention. They were talking about whether the corpses buried at the "13th May" Centre could be transferred to another location, when Đorđević told Trajković that he should not concern himself about it, and should never bring the subject up again. Trajković obeyed.[279]

122. Zoran Simović a.k.a. "Tutinac" was the Commander of the Belgrade SAJ Unit at the time of the burials.[280] In the trial of Vlastimir Đorđević before the ICTY, Simović said that he was informed of the burial of corpses at the "13th May" Centre in Batjnica on his return from Kosovo, by his subordinate, the Commander of the Third Platoon of the SAJ, Zoran Đoković, in the presence of "the entire SAJ command". Trajković confirmed the information and told him not to worry, because the Minister [of Police] had been informed of the whole situation.[281]

ii. Petrovo Selo

123. During the 1999 conflicts, Goran Radosavljević a.k.a. "Guri" [meaning "rock" in Albanian], the then member of MUP Staff and Commander of the Operational Pursuit Groups, was in charge of the training of PJP members at the Training Centre in Petrovo Selo. From June 1999, Radosavljević was probably the head of the Training Centre.[282] His assistants at the Training Centre were Sreten Popović, Miloš Stojanović and Radomir Đerić.[283]

124. Before the first bodies were buried at Petrovo Selo, the refrigerated truck that had surfaced in the Danube at Tekija was on 8 or 9 April brought to the Training Centre, where it was first set on fire and subsequently destroyed with explosives [see paragraph 89].

125. Several days later, the first truck carrying the corpses that Božidar Protić had transported from the village of Janjevë/Janjevo, Kosovo, arrived in the early morning hours at Petrovo Selo. On his way

277 Testimony of Živko Trajković before the ICTY in *Đorđević*, 28 September 2009, pp.9115 and 9138.
278 Testimony of Živko Trajković before the ICTY in *Đorđević*, 29 September 2009, pp.9124 and 9139.
279 Ibid, p.9125.
280 Testimony of Zoran Simović before the ICTY in *Đorđević,* 19 April 2010, pp.13569-13570.
281 Ibid, pp.13598-13599.
282 Testimony of Vlastimir Đorđević before the District Court in Belgrade in *Bytyqi*, 26 June 2009, pp.4-5 and 23.
283 Testimonty of Goran Radosavljević before the District Court in Belgrade in *Bytyqi*, 22 December 2008, p. 14; Testimony of Boško Radojković before the ICTY in *Šainović et al.*, 27 November 2006, p.7454.

to Petrovo Selo, Protić stopped in Kladovo, where he met with the Chief of Kladovo OUP, Vukašin Sperlić, who instructed him to take the bodies to the Traning Centre at Petrovo Selo.[284] He also gave him an escort,[285] and Protić shortly arrived at the gates of the Training Centre.[286]

126. At the gates of the Centre stood a camper trailer, and right next to it stood Goran Radosavljević ("Guri") with his daughter.[287] "Guri" took Protić to a nearby locust tree wood, where he saw MUP members Radomir Đerić, Sreten Popović and another two men, nicknamed "Rus" and "Tyson", lying there.[288] Đerić then showed Protić a pit three metres long and three metres wide that had already been dug in a clearing. Protić emptied his truck into the pit, and the abovementioned MUP members - excluding "Guri", who had left the site in the meantime -, immediately began covering the corpses with earth.[289]

127. Radomir Đerić, an officer at the Police Department in Užice, had at an earlier date been sent to Petrovo Selo to train PJP members.[290] Goran Radosavljević ("Guri") was in charge of the training of PJP members at Petrovo Selo, and Đerić and Sreten Petrović, as his assistants, supervised the training "on Goran's behalf ". Mićo Petraković was in charge of training members of the Special Operations Units of the RDB.[291]

128. According to Đerić's account, the first burial of corpses at Petrovo Selo took place in June 1999 – an account contradicted by both Protić and Sperlić. Đerić also said that Goran Radosavljević ("Guri"), who was absent from the Training Centre that morning and only arrived in the afternoon, had already been acquainted with the operation to bury the corpses there.[292]

129. Đerić did not deny that he himself organised the digging of the pit in which the corpses were deposited, but denied having known what the pit would be used for, claiming that it was planned to be used as a septic tank.[293] Đerić further said that Protić and several other members of the Special Operations besides himself participated in the digging.[294]

284 Statement of Božidar Protić to the investigating judge of the District Court in Belgrade, 5 December 2003 in *Kriv.V.br. 1/03*, Ex. No. P2816, *Šainović et al.*, p.4.
285 Testimony of Vukašin Sperlić before the District Court in Belgrade in *Bytyqi*, 8 February 2007, p.5.
286 Notes of the interview Dragoljub Stanković, Deputy War Crimes Prosecutor, held with Božidar Protić, 29 June 2006, no.3/4-3-1, no.407/06, Ex. No. P2817, *Šainović et al.,* p.3.
287 Testimony of Božidar Protić before the District Court in Belgrade in *Bytyqi*, 8 February 2007, p.40; Notes of the interview Dragoljub Stanković, Deputy War Crimes Prosecutor, conducted with Božidar Protić, 29 June 2006, no.3/4-3-1, no.407/06, Ex. No. P2817, *Šainović et al.,* p.3.
288 Notes of the interview Dragoljub Stanković, Deputy War Crimes Prosecutor, conducted with Božidar Protić, 29 June 2006, no.3/4-3-1, no.407/06, Ex. No. P2817, *Šainović et al.*, p.3.
289 Ibid.
290 Testimony of Radomir Đerić before the District Court in Belgrade in *Bytyqi*, 21 March 2007, p.22.
291 Ibid.
292 Ibid, p.24.
293 Ibid, p.23.
294 Ibid, p.29.

130. Unlike Protić, Đerić tried to portray the burying of the corpses at Petrovo Selo as an unscheduled, ad hoc action. Yet the statements of Protić and Đerić agreed for the most part. In the case of *Šainović et al.* before the ICTY, Protić was considered to be a "generally consistent, convincing and credible witness".[295]

131. When giving evidence before the District Court in Belgrade in the *Bytyqi* case, Vukašin Sperlić confirmed that he was present at the Training Centre at the time of the burial of the corpses, adding that "some ten uniformed policemen were present at the location at the time", including Đerić, and that Radosavljević arrived somewhat later.[296] Sperlić also said that he shortly afterwards/briefly reported the situation to his superior – the Chief of the SUP in Bor, Časlav Golubović.[297]

132. After the burial of the corpses had been completed, Protić complained to Radosavljević that the truck he was driving was soiled with blood and mud, and smelled badly, so Radosavljević had Sperlić arrange for firemen to come to the scene with a water tank and wash it out. Protić then drove the truck to the "13th May" Centre at Batajnica and delivered it to Duško Nenadović.[298]

133. Several days after the first burial, Protić drove a new truck-load of about 50 corpses to Petrovo Selo,[299] this time from Mitrovicë/Kosovska Mitrovica. He emptied the truck into the second pit, which was 20 or 60 metres away from the pit in which the corpses from Janjevë/Janjevo had been deposited.[300] [on collecting the corpses from the garage of a timber factory, see paragraph 102].

134. Protić estimated that the first delivery contained 17 bodies, which were subsequently buried at Petrovo Selo.[301] However, on the basis of exhumation reports it may be inferred that Protić actually delivered 13 corpses during his first journey. Namely, the report by Jon Sterenberg, Head of excavations and examinations at the International Commission on Missing Persons (ICMP) Forensic Office, states that 16 corpses were exhumed from the first of the two pits discovered at Petrovo Selo – 13 from the lower and three from the upper layer of the pit.[302] Those latter three were deposited on a later date and belonged to the brothers Mehmet, Agron and Ylli Bytyqi, who, by all accounts, were killed at the Training Centre at Petrovo Selo itself after 8 July 1999, and subsequently buried in the upper layer of the first mass grave.[303]

295 ICTY Trial Chamber Judgment in *Šainović et al.*, vol. II, paragraph 1319.
296 Testimony of Vukašin Sperlić before the District Court in Belgrade in *Bytyqi*, 8. February 2007, p.7.
297 Ibid, p.9.
298 Notes of the interview Dragoljub Stanković, Deputy War Crimes Prosecutor, conducted with Božidar Protić, 29 June 2006, br. 3/4-3-1, br.407/06, Ex. No. P2817, *Šainović et al.,* p.3.
299 Testimony of Božidar Protić before the ICTY in *Šainović et al.,* 9 March 2007, p.11322
300 Ibid, p.11322.
301 Ibid, p. 11383; Notes of the interview Dragoljub Stanković, Deputy War Crimes Prosecutor, conducted with Božidar Protić, 29 June 2006, no.3/4-3-1, no.407/06, Ex. No. P2817, *Šainović et al.,* p.3; Witness statement of Božidar Protić before the District Court in Belgrade in *Bytyqi*, 8 February 2007, pp.30-32, 40-41.
302 Expert report on exhumations at, Batajnica, Petrovo Selo, Derventa Canyon, Lake Perućac, ICMP, 24 November 2005, Ex. No. P2476, *Šainović et al.*, pp.45.
303 Ibid.

iii. Lake Perućac

135. The corpses in Lake Perućac were discovered in mid-April 1999. Over the next few days, they were removed from the lake and buried in a secret mass grave near the junction of the Derventa River with Lake Perućac.[304] The then chief of Užice SUP, Đorđe Kerić, provided a detailed account before the ICTY of the discovery of the corpses and their subsequent burial in a mass grave near the lake, as did several other individuals who participated in the burial, and General Vlastimir Đorđević.

136. At night, on an undetermined date in April 1999, Milan Maksimović, a.k.a. "Maksa the Stonecutter", a member of the reserve troops of the Serbian RDB, informed the then commander of the Bajina Bašta OUP, Slavko Petrović, that some corpses had been seen floating in the lake near the hydro-electric power station dam. The following morning, Petrović went to the lake and saw five to seven corpses floating on the surface of the water. He immediately reported the incident to his superior officer, the Head of the Užice SUP, Đorđe Kerić.[305]

137. Upon receiving this information, Kerić telephoned his superior – the Chief of the RJB, Vlastimir Đorđević – and informed him of the corpses in the lake. Đorđević told him to send Zoran Mitričević, Head of the Crime Police Department of the Užice SUP, to the scene, without notifying the competent prosecutor and investigative judge of the incident.[306]

138. Mitričević confirmed to Kerić there were corpses in the lake, saying that their number was increasing,[307] and that the freight box of a refrigerated truck had also surfaced from the lake. Kerić then telephoned Đorđević again, and Đorđević ordered that "measures should to be taken for the clearing up of the terrain" - meaning that the corpses were to be retrieved from the lake and buried, by policemen and civilians, near the lake.[308]

139. Kerić passed on the order to Mitričević who, in the next couple of days, coordinated the action to remove the corpses from the lake and bury them in a clandestine mass grave.[309] Several police officers and civilians from the Užice and Bajina Bašta areas were involved in the action. They included: Zoran Mitričević, Head of the Crime Police Department of the Užice SUP, Slavko Petrović, Commander of the Bajina Bašta OUP, members of the Crime Police Department of the Užice SUP Mileta Petrović,

304 Ibid, p.51.
305 Official notes of the Serbian MUP Working Group on the interview conducted with Slavko Petrović, Mile Petrović, Boško Milutinović and Dragan Đorđević, Ex. No. P394, *Đorđević*, p.1.
306 Witness statement of Đorđe Kerić before the ICTY in *Đorđević*, 21 July 2009, pp.7756-7757; Serbian MUP Working Group, minutes of the interview conducted with Đorđe Kerić, Ex. No. P1212, *Đorđević,* p. 2.
307 Statement of Đorđe Kerić to the investigating judge at the District Court in Belgrade, 8 June 2005 in *Kriv.V.br. 3/03*, Ex. No. P316, *Đorđević,* p. 4.
308 Serbian MUP Working Group, minutes of the interview conducted with Đorđe Kerić, Ex. No. P1212, *Đorđević*, p. 2; Witness statement of Đorđe Kerić before the ICTY in *Đorđević*, 21 July 2009, pp.7758-7759;
309 Witness statement of Đorđe Kerić before the ICTY in *Đorđević*, 21 July 2009, pp.7759-7760.

Boško Milutinović and Dragan Đorđević, and Milija Mandić, a diver from the Civil Defence Troops.[310] The persons informed of the action also included Radovan Dogandžić, Head of the Department of Aliens and Administrative Affairs of the Bajina Bašta OUP, and Milutin Despotović, detective inspector at the Police Department of the Bajina Bašta OUP.[311]

140. Boško Milutinović and Mileta Petrović stated that Kerić, in his office, gave them instructions to "clean up a mess that someone else has made", after which they were sent to Bajina Bašta.[312]

141. For the purpose of retrieving the corpses from the lake and burying them near the lake, machinery and other equipment were taken, at Slavko Petrović's suggestion, from the "Elektroizgradnja" company of Bajina Bašta. Equipment of the local "Hidroelektrane" hydro-electric power station was also used for this purpose.[313] As the bodies were retrieved from the water, crime police officers would put them into a basket, obtained from "Hidroelektrane", which was normally used to clean the dam, and the basket would then be taken ashore by a crane and the corpses loaded onto a truck.[314]

142. After the job had been completed and the corpses buried by the banks of the Derventa River, near the place where it flows into Lake Perućac,[315] Đorđe Kerić informed General Vlastimir Đorđević that the task was completed.[316] The two spoke by phone on several occasions also during the two-day removal and burial of corpses.[317]

143. Testifying before the ICTY, Đorđević said that he had informed the Interior Minister, Vlajko Stojiljković, of the situation with the corpses.[318]

144. It is indicative that Kerić, when giving a statement to an investigative judge in Belgrade, said that during the action at Lake Perućac he "suggested that Zoran Mitričević speak with his immediate superior", that is, the head of the Crime Prevention Administration of the MUP in Belgrade, who was General Dragan Ilić at the time.[319] Kerić further said that he did not know if Mitričević had informed Ilić of the situation, adding that Mitričević "had to inform his superior, i.e. General Ilić", if anything unusual happened.[320]

310 Serbian MUP Working Group, Official notes of the interviews with Slavko Petrović, Mile Petrović, Boško Milutinović and Dragan Đorđević, Ex. No. P394, *Đorđević,* pp.2-3.
311 Ibid, pp.3-4.
312 Ibid, p.3.
313 Ibid, p.2.
314 Ibid.
315 Ibid, p.4.
316 Witness statement of Đorđe Kerić before the ICTY in *Đorđević*, 22 July 2009, p.7818.
317 Ibid, pp.7761-7762.
318 Witness statement of Vlastimir Đorđević before the ICTY in *Đorđević*, 7 December 2009, pp.9728-9729.
319 Statement of Đorđe Kerić to the investigation judge of the District Court in Belgrade, 8 June 2005 in *Kriv.V.br. 3/03*, Ex. No. P316, *Đorđević,* p. 6.
320 Witness statement of Đorđe Kerić before the ICTY in *Đorđević*, 21 July 2009, p.7767.

iv. Rudnica

145. The removal of bodies from Kosovo and their subsequent burial in mass graves in Serbia was organised by the MUP, and involved all its levels, from its senior leadership to police officers on the ground. Senior officers of the MUP who testified before the ICTY claimed that the information about the removal of corpses only came to their knowledge after the end of the conflicts.[321] However, there exists a large amount of evidence demonstrating that not only did they know about it, but also participated in the process.

146. Radomir Marković, a former Chief of the RDB, in a statement he gave to the Serbian MUP RDB Centre on June 2001 said that Slobodan Milošević in March 1999 convened a meeting at the White Palace with the purpose to devise a plan for the removal of the bodies of killed Albanian civilians from Kosovo. According to Marković, also present at the meeting were "most probably (…) members of the VJ".[322]

147. Further, Marković said that the VJ worked in cooperation with the MUP to conceal the bodies, claiming that police General Dragan Ilić, whom Marković identified as one of the principal organisers of the removal process, said that following some initial problems, "the cooperation with the VJ improved, that is to say, coordination of activities was achieved."[323]

148. During its research, the HLC found evidence demonstrating that in Sllovi/Slovinje, Landovicë/Landovica, villages in the Reka e Keq/Reka Valley, and villages in the Skënderaj/Srbica and Gllogoc/Glogovac municipality the VJ had the role to remove the bodies of killed civilians.

a. "Clearing up of the terrain" [i.e. sanitization]

149. On 31 March 1999, the Commander of Prishtina Corps, General Vladimir Lazarević, issued an order regarding to clearing up the battlefield, under which the commands of VJ brigades operating in Kosovo were to engage in the clearing up of the terrain alongside the MUP and other authorities.[324] Lazarević required that every brigade of the Prishtina Corps set up a department for clearing up the

321 Witness statement of Geza Farkaš before the ICTY in *Šainović et al.*, 25 September 2007, p. 16382; Witness statement of Momir Stojanović before the ICTY in *Šainović et al.*, 7 December 2007, pp.19851-19853.

322 Statement of Radomir Marković, Ex. No. P283, *Milošević,* p. 1.

323 Ibid, p. 2.

324 Order on clearing up the terrain issued by the commander of the Prishtina Corps, Vladimir Lazarević, 31 March 1999, Ex. No. P352, *Šainović et al.,* p. 1, para. 2.

terrain[325] and provided clear work instructions to the heads of ambulance and veterinary services.[326] On 20 April 1999, Lazarević made an annex to his order by establishing a team tasked with performing control of the clearing up of the battlefield. The team included: Colonel Zoran Vićentijević (team leader), Colonel Miodrag Jovanović (investigative judge, deputy team leader), Captain 1st Class Miloš Kostov (pathologist, forensic technician), and Warrant Officer 1st Class Velibor Veljković (veterinary technician).[327]

150. The HLC filed a request for information to the Ministry of Defence (MoD), under the Law on Free Access to Information of Public Importance, seeking to find out the names of heads of the departments for clearing up the terrain in all VJ brigades, as well as the names of heads of VJ ambulance and veterinary services. The Ministry refused to provide their names.[328]

151. Moreover, the MoD refused to give the HLC access to two reports produced in 2001 by the Prishtina Corps and the Third Army of the VJ on the clearing up of the battlefields in the territory of Kosovo, explaining in their refusal notices that the two documents are classified as "strictly confidential" and that "their disclosure would cause grave damage to the interests of the Republic of Serbia and the Army of Serbia."[329] After the HLC had lodged a complaint against the MoD decisions, the Commissioner for Information of Public Importance and Personal Data Protection annulled the decisions, finding that MoD failed to state the reasons why the two documents had been classified as "strictly confidential." The Commissioner further stated that the MoD also failed to "provide a compelling explanation as to in what way providing access to the reports would cause a grave damage to the interests of the Republic of Serbia and the Army of Serbia."[330]

b. Clearing up of the terrain performed by the VJ 37th Motorized Brigade

152. Pursuant to the 31 March 1999 order of the Commander of the Prishtina Corps, Vladimir Lazarević, the command of the 37th VJ MtBr set up a department for clearing up the battlefield, with Rade Krsmanović, Captain 1st Class, at its head, and Major Hasan Čorbić as Krsmanović's deputy.[331]

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325 The order on clearing up the terrain issued by the commander of the VJ Prishtina Corps, Vladimir Lazarević, states as follows: "A unit for clearing up the terrain shall, generally, include: an investigative judge, commander of the department (detachment), assistant commander of the department, firing department, medical technician, veterinary technician, 4 male nurses, 2 veterinary male nurses, 1 officer or corporal from each of the companies that suffered the largest number of casualties, and two 2.5 t cargo vehicles." See Order for clearing up the terrain issued by the commander of the Prishtina Corps, Vladimir Lazarević, 31 March 1999, Ex. No. P352, *Šainović et al.*, p. 1, para. 2.

326 Ibid, paras 4, 7 and 8.

327 Annex to the order on clearing up the terrain issued by the commander of the Prishtina Corps, Vladimir Lazarević, on 20 April 1999, Ex. No. 5D203, *Šainović et al.*

328 General Staff of the Army of Serbia, Joint Command, decision no.170-3 of 17 February 2016.

329 MoD, decision nos.1146-5/14 and 1148-5/14, both of 12 February 2015.

330 Commissioner for Information of Public Importance and Personal Data Protection, decisions nos. 07-00-00700/2015-3 and 07-00-00702/2015-3, both of 2 December 2016.

331 Order to clear up the battlefield, 37th MtBr, 5 April 1999, Ex. No. 5D1028, *Šainović et al.,* p. 1, para. 2.

The commander of the 37th VJ MtBr, Ljubiša Diković, on 5 April 1999 issued an order to "clear up the battlefield", in which he required that "human (...) corpses be located, collected (and) buried."[332]

153. On 13 April 1999, a week after a joint action of the 37th VJ MtBr and MUP in the village of Rezallë/Rezala (Gllogoc/Glogovac municipality) resulted in the killing of 42 Kosovo Albanian civilians,[333] Krsmanović and Čorbić, who were in charge of clearing up the battlefield, notified the SUP in Mitrovicë/Kosovska Mitrovica that "in the village of Rezala, near the village graveyard, there are a number of bodies, between 30 and 40, which have been covered with earth and debris by members of the Yugoslav Army."[334]

154. That same day, Bogoljub Paunović, investigative judge at the District Court in Mitrovicë/Kosovska Mitrovica, arrived at the scene together with several police officers from the Mitrovicë/Kosovska Mitrovica SUP, and found that near the village graveyard there was "a mound of earth; the removal of the earth layer at the top revealed the presence of human corpses."[335] Five days later, on 18 April 1999, an investigative judge from Mitrovicë/Kosovska Mitrovica – Blagoje Miletić – arrived in Rezallë/Rezala. Miletić refused to issue an exhumation order, "insisting in the presence of VJ officers – Captain Krsmanović and Major Čorbić – that investigation authorities of the military should take over the investigation."[336]

155. Further, Nenad Trifunović, deputy public prosecutor from Mitrovicë/Kosovska Mitrovica, on 26 April 1999 sent a letter to the Military Prosecutor's Office in Prishtina with the official notes of investigative judge Miletić of 18 April 1999 attached to the letter. Among other things, the letter states the following: "From the abovementioned official notes it is clear that they refer to the clashes in the village of Rezala", adding that "35 individuals of Albanian ethnicity, who had lost their lives in a battle with the armed forces of our country, were buried in the vicinity of the village school". Because of that, Trifunović concludes, the case falls within the jurisdiction of the military prosecutor's office.[337]

156. Since the investigative judge on 18 April 1999 confirmed the discovery of several tens of bodies buried in the village of Rezallë/Rezala, all trace of these bodies have been lost. It is not known whether the 37th VJ MtBr has informed the military investigative authorities of the discovery, and if it has, whether the latter have taken over the investigation into the bodies found in the mass grave in Rezallë/Rezala.

332 Ibid, para 1.
333 HLC Database.
334 MUP, Overview of registered criminal offences and steps taken in this regard on the territory of Kosovo and Metohija in the period 1 July 1998- 20 June 1999, Ex. No. D614, *Šainović et al.*, p. 17, para. 4.
335 Ibid, p. 17, para. 4.
336 Ibid.
337 Official notes of Blagoje Miletić, investigative judge at the District Court in Kosovska Mitrovica, no. 60-99, 18 April 1999.

VI. Incineration of remains

157. Over the past 12 years, the witnesses and representatives of the civil sector have come forward with evidence that, in addition to being hidden in mass graves on the territory of Serbia, the bodies of murdered Albanians have been burned in several locations in Serbia and Kosovo.

i. Mačkatica

158. The first information about the cover-up of the crimes by burning the bodies came out in December 2004 when, in an article titled „Sanitization of the peace of mind (Asanacija duševnog mira)" the then Director of the HLC, Nataša Kandić, revealed information obtained from multiple independent sources about the incineration of human remains in the Mačkatica aluminum factory (near Surdulica) in southern Serbia. In this article, it was revealed that the human remains were incinerated in Mačkatica on at least two occasions, on May the 16th and 24th 1999, and that the whole process was secured by the "Red Berets" ("Crvene beretke") unit of the Serbian State Security under the command of Milorad Ulemek Legija. At the time, this unit had a base nearby, in the village of Bele Vode, near Vranje.[338]

159. In charge of the admission and organization of the incineration of the human remains were members of the State Security and Police, and the directors of the „Mačkatica" and „Simpo" companies: Zoran Stošić, at that time Chief of the State Security for Pčinja District; Bratislav Milenković, Chief of the Security Information Agency for Vladičin Han and Surdulica; Dragan Stanković, Chief of Internal Affairs in Surdulica; Miroslav Antić, Chief of the Security Information Agency in Vranje; and Dragan Lakićević, Director of the „Mačkatica" company and his deputy Aca Đorđević. The entire project was conducted with the support of Dragomir Tomić, then President of the "Simpo" holding company and a high official of the ruling Socialist party of Serbia.[339]

160. Shortly after, the claims that HLC made about the burning of bodies in Mačkatica were confirmed by an anonymous witness from Surdulica, who stated he saw on several occasions members of the RJB and RDB of the Ministry of Internal Affairs of Serbia entering the factory, as well as that during the night vehicles with their headlights off had been entering the factory. From conversations he had he learned that these activities were the delivery of bodies of Kosovo Albanians which were then incinerated in the blast furnaces of the factory.[340]

161. The Institute for War and Peace Reporting (IWPR) interviewed three witnesses to the incinerations of human remains in Mačkatica. The first was a factory worker who confirmed that „the

338 *Sanitization of the peace of mind*, daily newspaper "Danas", December 24th 2004, available at: http://forum.b92.net/topic/16437-asanacija-dusevnog-mira/, accessed on January 12th 2017.

339 Ibid.

340 Witness: Bodies of Albanians burned, Radio B92, December 30th 2004, available at: http://www.b92.net/info/vesti/index.php?yyyy=2004&mm=12&dd=30&nav_id=158985, accessed on January 12th 2017.

bodies of Kosovo Albanians were brought to the factory and incinerated there". He did not witness the act of incineration, but he did see when the bodies were unloaded in the factory complex. Another witness, whose profession/workplace was not disclosed, found out that the bodies were transported from Prizren, Gjakovë/Đakovica, Pejë/Peć, and surrounding villages. A third witness, who was referred to as a „former inspector of Milošević's secret police", said that the police possesses „precise and systematic information" about the incineration of bodies in Mačkatica, which are classified as confidential in the „archives of the local police": „In the police documents everything is registered – from the codenamed action, through the list of people who (…) worked on the 'clean-up of the terrain', to those who were loading the trucks and driving them to the Mačkatica factory, where Legija and his team took over".[341]

162. The then War Crimes Prosecutor in Serbia, Vladimir Vukčević, went to Mačkatica factory in April of 2005 together with the investigating judge of the District Court in Vranje and a team of forensic experts. They examined all of the blast furnaces and all the sites containing mining rubbish and tailings.[342]

163. The results of the investigation led by Vladimir Vukčević regarding the allegations are not familiar to the public, and to date, no charges for concealing crimes of burning human remains have been raised.

ii. „Feronikl" Gllogoc/Glogovac

164. On October 29th 2014, the HLC filed a criminal complaint to the Office of the War Crimes Prosecutor (OWCP) against five unidentified persons[343] on the reasonable suspicion that they „on an unspecified date in the first half of 1999, in Kosovo (…) loaded onto a truck 21 bodies of unidentified murdered Kosovo Albanians at an unknown location and transported them to the "Feronikl' complex in Gllogoc/Glogovac, loaded the crane basket with the bodies twice, after which on both occasions the crane operator navigated the basket with the bodies above the flames of the blast furnace".[344]

165. The criminal complaint was filed based on information that the HLC obtained, which were presented in the manuscript of the book „Crtice"["Reminiscences"].[345] The author of the book is Slobodan Maksimović, a writer and retired officer of the Yugoslav People's Army. In this part of the manuscript of the book – with the author's emphasis that it was written „on the basis of a true event

341 New discoveries about the burning of human remains in Mačkatica, IWPR media service, August 2nd 2005, available at https://iwpr.net/sr/global-voices/istrazivanje-srbija-nova-otkrica-o-spaljivanju, accessed on January 12th 2017.

342 Ibid.

343 In the unpublished excerpt from the book „Crtice" ["Reminiscences"] by Slobodan Maksimović, it is implied that the two persons were members of the Ministry of Internal Affairs and that one of them was nicknamed "Čeda".

344 In 2014, the HLC filed charges at the OWCP against five unidentified persons for war crimes committed at the "Feronikl" complex.

345 The story, or „ reminiscence" about the " Feronikl" complex, were subsequently removed from the manuscript and not published in the official publication of the book.

that happened in 1999“ – it is stated that two police officers (one nicknamed “Čeda”) and one driver received orders to load onto the truck the bodies of 21 Albanians and burn them at the “Feronikl” factory complex. Maksimović describes in detail what the burning of the bodies looked like, stating that the bodies were loaded onto a crane „which was used to pour semi-worked iron into the burning Bessemer converters“.[346]

166. Prior to the incineration of the bodies at the “Feronikl” complex, the two police officers who participated in the transportation of the bodies, according to Maksimović’s entry, „stopped by on their colleagues (police officers) at the reception desk of the the “Feronikl” factory complex for a coffee and a drink“.[347] According to the testimony of Petar Damjanac, former Chief of the Municipal Department for Internal Affairs in Gllogoc/Glogovac „our forces“ i.e. „police officers from Serbia“,[348] had been stationed at the “Feronikl” complex since 1998, which is confirmed by a police document from that period stating that Special Police units were stationed at the “Feronikl” complex.[349]

167. To this day, the OWCP has not conducted an investigation into the incineration of bodies at the “Feronikl” complex.

iii. Bor mine and smelting complex

168. The Belgrade weekly „Vreme“ published on June 21st 2001 the confession of an unnamed driver of a refrigerated truck, who claimed that in 1999 he „made a dozen trips from Kosovo to Bor, “transporting human remains from different locations to the Bor copper-smelting complex. He claimed that he was driving while there was fighting in Kosovo, that the loading onto the refrigerated truck was conducted „in a camp full of military, police and various paramilitary units“, and that he handed over the truck to „police officers who were at the entrance to the copper-smelting factory in the Bor mine and smelting complex“. He does not know what happened later with the bodies, whether they were incinerated or buried somewhere in the area of the mining complex.[350]

169. What also appeared in the media is the testimony of Ivan Pajić, an entrepreneur from Bor, who claimed that in the early morning of a day a few weeks after the start of the NATO intervention, he and his father Drago Pajić saw a truck parked in front of the smelting complex from the premises of their company, which is located opposite the entrance to the smelting complex. In his confession to the media, Pajić stated, among other things, the following: „When they opened the refrigerated truck,

346 Manuscript of the book „Crtice“ by Slobodan Maksimović, p.100.
347 Ibid.
348 Testimony of Petar Damjanac before the ICTY in the *Šainović et al.*case March 5th 2008, pp. 23742 and 23744.
349 Plan of the Municipal Department for Internal Affairs Gllogoc/Glogovac for the Suppression of Terrorism, December 4th 1998, exhibit no. P3116, *Šainović et al.,* p.4.
350 “The dead travel”, the weekly “Vreme”, June 21st 2001, available at http://www.vreme.co.rs/cms/view.php?id=290475, accessed on January 12th 2017.

there were so many bodies in it that they started to fall to the ground. I still remember the face of a little girl who fell from the truck after the door was opened".[351]

170. He claims that he and his father contacted the OWCP in 2010, but were met only with „contempt". After that followed threats, and Ivan's father, according to his account, ended up in custody, allegedly as a result of false accusations. Ivan Pajić said that his father was threatened by Časlav Golubović, former Chief of Police in Bor, a man who „was involved in this crime (also)".[352] This is the same person who was involved in organizing the transport of bodies discovered near Tekija to Batajnica [see paragraphs 83-87].

171. There is no information as to whether the investigating authorities verified the information on the incineration of bodies in Bor.

VII. Participants in the concealment of crimes

172. The above-mentioned evidence shows that the operation of removing the bodies of Albanian civilians from Kosovo and their burial in clandestine mass graves in Serbia was planned at the level of the national leadership, more precisely, in the Cabinet of Slobodan Milošević, the President of the FRY, and that his instructions were then enforced by the police line management – starting with the Minister of the Serbian Ministry of Internal Affairs, Vlajko Stojiljković, down through to the ranks below.

173. Evidence points to the conclusion that the highest-ranking police officers were responsible for the operational implementation of the order to hide the bodies, and that the Armed Forces of Yugoslavia also played a role in the whole operation. In addition, it is noticeable that the process of hiding the bodies of those murdered in Kosovo, the excavation of the human remains and their transport to Serbia and then their burial in mass graves involved hundreds of direct perpetrators.

174. Accordingly, the participants in the covert operation of the removal of the bodies are divided into three groups: the planners of the operation, the organizers responsible for its implementation, and the direct perpetrators of the removal, transport and burial of the bodies in the clandestine mass graves. However, it is difficult to place some participants in the operation in only one category, since they were involved in both planning and supervising the elimination of the traces of the crimes.

175. Below we will take note of who were the members of the political, army and police structures of whom, based on the available evidence, it can be claimed that they participated in the operation of covering up the crimes.

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351 Exclusive: "Serbia hides the burning of the bodies of Albanians", web portal Info-ks.net, June 25th 2013, available at http://www.info-ks.net/vijesti/regija/32500/ekskluzivno-srbija-skriva-spaljivanje-tijela-albanaca, accessed on January 12th 2017.

352 Ibid.

176. The first group are the highest civil servants who decided, planned and issued an order to put the operation into effect; the second group are primarily the high-ranking police officers who organized the implementation of the action; whilst the third group are the persons directly involved in the burial, excavation, transportation and hiding of the human remains in mass graves (police officers, employees of state-owned companies, members of the Territorial Defense, et al.).

i. Planners of the operation of moving and hiding the bodies

177. On the basis of the available evidence it can be concluded that the plan for the implementation of the operation of covering up the crimes originated from the Cabinet of Slobodan Milošević, and that it was adopted at the latest in March 1999 at a meeting in the White Palace [see paragraphs 178-180]. On the basis of the data obtained by the HLC, this meeting was attended by Slobodan Milošević, Vlajko Stojiljković, Vlastimir Đorđević and Radomir Marković, and most likely some individuals from the circles of the military leadership.

Slobodan Milošević[353]

178. Slobodan Milošević was the president of the FRY and, since the introduction of state of war,[354] the Commander-in-Chief of the Armed Forces of FRY. In March 1999 at a meeting at the White Palace, Milošević issued the order to „take measures to eliminate the already buried bodies of Albanian civilians".[355] This meeting was attended by people in high government positions, police officials, and most probably persons from the military leadership.

179. However, this was not the only meeting organized by Milošević that concerned the concealment of crimes in Kosovo. Specifically, in May 1999, there was another meeting held and attended by the Deputy Minister of Police Obrad Stevanović. Among other things, the following is stated in the diary of General Stevanović in connection with the meeting: „President", and then below that: „No bodies, no crimes", which probably refers to the concealment of killings of civilians and hiding their bodies from the authorities and the public.[356]

180. Slobodan Milošević was, among other things, accused before the ICTY of crimes committed against Kosovo Albanians during the conflict in Kosovo.[357] Milošević died before the completion of the proceedings, on March 11th 2006 at the ICTY Detention unit in Scheveningen.

353 Ratko Marković on the powers and the position of the President of the Republic of Serbia, Ex. No. 1D682, *Šainović et al*., p.40, paragraph 3.60.

354 The state of emergency was introduced on March 24th 1999, available in: Official Gazette, Decision on the introduction of the state of war, March 24th 1991, Ex. No. P991, *Šainović et al*; Federal Secretariat of Information – Decision on declaring the state of war, March 24th 1999, *Šainović et al.*

355 Statement by Radomir Marković, Ex. No. P283, *Milošević,* p1.

356 Personal diary of General Obrad Stevanović, Ex. No. D299.440, *Milošević,* p. 88.

357 The second amended indictment of the ICTY against Slobodan Milošević and others, from November 22nd 2002.

Vlajko Stojiljković

181. From 1997 to October 2000, Vlajko Stojiljković was the Minister of Internal Affairs of Serbia. Slobodan Milošević issued the order to „take measures to eliminate the already buried bodies of Albanian civilians" at the meeting in March 1999 to Vlajko Stojiljković.[358] After that, Stojiljković held a meeting at which he appointed generals Dragan Ilić and Vlastimir Đorđević for the implementation of the operation.[359] At the hearing at the ICTY, *Dorđević* claimed that during the operation of moving the bodies he was in constant communication with the minister.[360]

182. Vlajko Stojiljković was charged by the ICTY for crimes committed against Kosovo Albanians during the conflicts in Kosovo,[361] but before he became available to the ICTY he committed suicide in Belgrade in April 2002.[362]

Vlastimir Đorđević

183. From 1997 to 2001, Vlastimir Đorđević was Chief of the State Security Service of the Ministry of Internal Affairs of Serbia. Radomir Marković claimed that at the meeting with Slobodan Milošević in March 1999, Vlastimir Đorđević „opened up the issue of the removal of bodies of Albanian civilians, in order to eliminate all possible civilian victims that might become the subject of investigations by the Hague Tribunal".[363] In addition, Vlastimir Đorđević, together with Dragan Ilić, took over from Minister Stojiljković the implementation of the operation,[364] and then participated in virtually all its segments.

184. During the appeal proceedings before the ICTY, in one pleading Vlastimir Đorđević accepted responsibility for participation in the burial and hiding of bodies in Batajnica and admitted that he knew of the burial at Lake Perućac, but he sought to minimize his role.[365] He opposed the conclusion

358 Statement by Radomir Marković, Ex. No. P283, *Milošević,* p.1.
359 Ibid; Testimony of Dragan Karleuša before the ICTY in the *Milošević* case, July 22nd 2002, p.79.
360 Testimony of Vlastimir Đorđević before the ICTY in the *Đorđević* case, December 7th 2009, pp. 9712 and 9728-9729.
361 The ICTY raised the indictment on May 22nd 1999.
362 "Vlajko Stojiljković has shot himself in the head", web portal B92, April 11th 2002, available at http://www.b92.net/info/vesti/index.php?yyyy=2002&mm=04&dd=11&nav_id=58055 accessed on January 12th 2017.
363 Statement by Radomir Marković, Ex. No. P283, *Milošević,* p.1.
364 Ibid., p.2.
365 Pleading of Vlastimir Đorđević after submission for translation of the ICTY Trial judgment from November 29th 2012, p.2, paragraph 3.

of the first instance judgment, according to which he had „a leading role in the operation",[366] and instead he claimed that „he got involved in these horrid events at a late stage" and that his role in the operation was „limited".[367]

185. The Appeals Chamber confirmed all of the conclusions of the Trial Chamber and rejected his claims that the role he had in the operation of covering up the crimes was „overestimated".[368] The final judgment sentenced him to 18 years in prison,[369] and he is currently serving his sentence in a prison in Germany.[370]

Radomir Marković

186. Radomir Marković was the Chief of the State Security Service at the Ministry of Internal Affairs of Serbia from 1997. Marković was present at the meeting in March 1999 with Slobodan Milošević. However, in a statement given to an officer of the State Security Service Center in Belgrade, Marković denied the participation of the State Security Service in the operation of covering up the crimes. The fact that the Chief of the State Security Service attended the meeting in which the plan for the cover-up of the crimes was made speaks in favour of the claim that the State Security Service was involved in this operation [see paragraph 73].

187. Radomir Marković was sentenced in Serbia for several political murders to 40 years in prison and is currently serving his sentence.[371]

ii. Organizers of the operation of moving and hiding the bodies

188. The secret operation of covering up the crimes, ordered by Slobodan Milošević in March 1999, was primarily conducted during April and May 1999. High- and mid-ranking officers of the police and the army were responsible for the activities of the operation.

366 As noted by the Trial Chamber of the ICTY in the *Đorđević* case „The Chamber is satisfied that the accused played a leading role in the Ministry of Internal Affairs efforts to conceal the crimes of murder of Albanian civilians and other persons taking no active part in the hostilities during the period covered by the Indictment. (…) According to the Chamber's finding, this operation was carried out under the direction of the accused, in consultation with Minister Stojiljković, and in accordance with the orders of the President of the FRY Slobodan Milošević. While the law required the defendant to order a proper investigation into the bodies found, the defendant, on account of his role, ensured that the discovery of these bodies was not investigated at that time". See the ICTY Trial judgment in the *Đorđević* case, tome II, para. 2156.

367 Pleading of Vlastimir Đorđević after submission for translation of the ICTY Trial judgment from November 29th 2012, p.2, paragraph 3.

368 ICTY Appeals Chamber Judgment in the *Đorđević* case, para. 425.

369 See: Disposition of the ICTY Appeals Chamber judgment in the *Đorđević* case, pp. 456-457.

370 "General Đorđević in German prison", news agency Sense, October 22nd 2014, available at http://www.sense-agency.com/tribunal_(mksj)/general-djordjevic-u-nemackom-zatvoru.25.html?cat_id=1&news_id=16220 accessed on January 12th 2017.

371 Judgment to state terrorism, the weekly *Vreme*, June 26th 2008, available at http://www.vreme.co.rs/cms/view.php?id=644389 accessed on January 12th 2017; The image of the Milošević Regime: Liquidation of political enemies, web portal Insajder, August 25th 2016, available at https://insajder.net/sr/sajt/tema/1439/ accessed on January 12th 2017.

Dragan Ilić

189. Dragan Ilić was the Chief of the Department of Criminal Investigation with the Ministry of Internal Affairs of Serbia. At the meeting with Minister Vlajko Stojiljković, Dragan Ilić and Vlastimir Đorđević were responsible for the implementation of the orders of Slobodan Milošević, given at the previous meeting in March 1999 [see paragraph 74].[372] Dragan Ilić's participation in the operation of hiding the bodies is confirmed by several sources.

190. In his statement to the RDB Centre Beograd, Radomir Marković says that Dragan Ilić "has complained about his difficult job, being unprepared for such horrors, and being met with resistance from the people who are supposed to help him find the locations of the bodies of the Albanian civilians".[373] However, despite Ilić's complaint to Radomir Marković about being "unprepared for such horrors", there is evidence that Ilić went to Kosovo on several occasions, actively helping hide the bodies of the murdered civilians.

191. Vlastimir Đorđević[374] talked about Ilić's trips to Kosovo, and so did Gvozden Gagić, who was at the time Head of the Blood and Sexual Delicts Division of the Crime Police Administration of the Serbian MUP and Ilić's subordinate, as well as Živko Trajković, former SAJ commander.

192. Gagić stated before the ICTY that Ilić was going down to Kosovo during the NATO intervention,[375] and that he "met with the heads of Crime Police Departments" in Kosovo in early May 1999 "to give them instructions on how the crime police forces should proceed with their work".[376] In his testimony before the ICTY, Trajković was even more specific. He said that General Ilić had stayed in Kosovo "for the purposes of sanitization of the terrain", as he was the person "in charge of this type of operation", i.e. he was "leading the team tasked with sanitizing the terrain in Kosovo".[377]

193. Ilić played a leading role in the payment of the operating costs of "Operation Depth II",such as the payment of daily wages to the individuals other than the Serbian police who took part in removing the bodies from the refrigerator truck that surfaced in the Danube at Tekija [see paragraph 93].

194. At the same time, Ilić himself indirectly confirmed his leading role in "terrain sanitization". At the meeting of the MUP Staff for Kosovo held in Prishtina on 4 May 1999, Ilić said: "A terrain sanitization plan that determines and clearly defines the tasks has been made and distributed to all SUP Crime Police Departments".[378] The existence of this plan was also confirmed by Gvozden Gagić.[379]

372 Statement by Radomir Marković, Ex. No. P283, *Milošević,* p.2.
373 Ibid.
374 Vlastimir Đorđević's testimony before the ICTY, *Đorđević*, 11 December 2009, p.9986-9987.
375 Gvozden Gagić's testimony before the ICTY, *Šainović et al.,* 18 March 2008, p.24454.
376 Ibid., p.24456.
377 Živko Trajković's testimony before the ICTY, *Đorđević*, 29 September 2009, p.9126.
378 Minutes of the meeting of the MUP Staff held in Prishtina of 17.5.1999, Ex. No. P1996, *Šainović et al.*, p.8.
379 Gvozden Gagić's testimony before the ICTY, *Šainović et al.,* 18 March 2008, p.24457.

195. On 31 August 2015, the HLC requested the Serbian Ministry of the Interior for access to information of public importance, asking whether Dragan Ilić was still a Serbian MUP employee, but was rejected, on the grounds that the MUP "does not have the requested information".[380]

Vladimir Aleksić and Desimir Radić

196. Vladimir Aleksić was Head of the Criminal and Technical Centre. Slobodan Borisavljević, Head of the Cabinet of Vlastimir Đorđević, claims that the team of Dragan Ilić's associates sent to Kosovo comprised Vladimir Aleksić and Desimir Radić.[381]

197. The evidence confirms that Aleksić was involved in the payment of daily wages to those who participated in "Operation Depth II", described earlier in the Dossier (see paragraph 93).

198. Desimir Radić was Head of the Economy Division of the Serbian MUP.[382] The HLC does not have information about Radić's specific role in concealing the bodies, except that he was sent to Kosovo with Ilić and Aleksić for this purpose.

199. Aleksić and Radić became eligible for old-age retirement in 2004 and have since been Serbian MUP pensioners.[383] Moreover, Aleksić is currently the President of the Association of MUP Pensioners and in this capacity, and sometimes accompanied by Nebojša Stefanović, current Minister for the Interior, he makes public appearances demanding that the MUP should "renounce all those who have exhibited criminal tendencies".[384]

Goran Radosavljević ("Guri")

200. Goran Radosavljević was a member of the MUP Staff for Kosovo, Operative-searching groups' commander and a person responsible for police training at the Training Centre (PJP) in Petrovo Selo.

201. In his statement, Radomir Marković says that Dragan Ilić told him that he was "provided with significant help" in the terrain sanitization work by "MUP Colonel Goran Radosavljević".[385]

202. It has been mentioned earlier that during the Kosovo conflict Radosavljević was in charge of training in the Training Centre in Petrovo Selo, where the bodies of Albanian civilians transported from Kosovo were buried, and that at the time when the three Bytyqi brothers were murdered and interred there, i.e. after July 1999, he had been managing the entire Training Centre. In addition, the

380 MUP, Reply 9609/15-2, 17 September 2015.
381 Slobodan Borisavljević's second statement to the Working Group of the Serbian MUP, Ex. No. P390, *Đorđević,* p.1.
382 MUP, Reply 891/16-2 of 22 August 2016.
383 MUP, Replies 891/16-2 and 892/16-2, both of 22 August 2016.
384 "Everyone who has broken the law should leave the police! Support for Minister Stefanović comes from all over the place", Telegraf Web portal, 8 January 2016, see: http://www.telegraf.rs/vesti/politika/1940380-svi-koji-su-se-ogresili-o-zakon-treba-da-idu-iz-policije-podrska-ministru-stefanovic-stize-sa-svih-strana, accessed on 12 January 2017.
385 Radomir Marković's statement, Ex. No. P283, *Milošević,* p.2.

Dossier contains evidence proving that Radosavljević was in the Training Centre in Petrovo Selo when the bodies were delivered, and that he helped with some segments of the operation, i.e. that he was at least cognizant of the entire operation [see paragraphs 126, 132].

203. As regards Radosavljević's role in covering up the crimes, his public correspondence with the former Police Minister Dragan Jočić (July 2016) is somewhat incriminating. Reacting to Radosavljević's criticism of him,[386] Jočić asks who turned "the Serbian police barracks" into "mass graves of half-buried Kosovo Albanians", who pushed the refrigerator truck "full of bodies of Kosovo Albanians" into the "Danube shallows at Tekija", "who plunged the unweighted refrigerator truck into Lake Perućac", and "who had senselessly murdered the three Bytyqi brothers, and why" - their corpses were discovered in one of the two mass graves in Petrovo Selo.[387]

204. The fact that a former high-ranking official believes that Radosavljević has answers to these questions indicates his likely key role in the operation of covering up Kosovo crimes.

205. Goran Radosavljević ("Guri") is now a police pensioner and a member of the Main Board of the ruling Serbian Progressive Party.[388]

Petar Zeković

206. Petar Zeković was one of the six assistants to the Minister for the Interior Vlajko Stojiljković. He was appointed to this position by a Serbian Government Decision in 1997.[389]

207. In his testimony before the ICTY, Božidar Protić, a police employee who transported the corpses from Kosovo to Serbia and from Kladovo to Batajnica, claimed that during the process he was in constant contact with General Petar Zeković [see paragraphs 92, 100, 102-103].

208. In addition, Dragan Bašanović, Zeković's chauffeur, took part in the transport and burial of corpses in the "13th May" Centre in Batajnica. In this regard, the conclusion of the ICTY Trial chamber in the *Đorđević* case that "it is highly unlikely that a personal chauffeur of the defendant [Bogdan Lipovac] would be involved in such a complex task as the transport of bodies without the defendant knowing about it" is important.[390] By the same analogy, it is highly unlikely that Zeković knew nothing about the tasks performed by *his* personal chauffeur.

386 Interview with "Guri": "Đinđić was murdered when he said that he would unite the Republic of Srpska and Serbia if they take Kosovo", *Ekspres weekly*, 16 July 2016, see: https://www.ekspres.net/drustvo/intervju-guri-dindic-je-ubijen-kada-je-rekao-da-ce-ujediniti-rs-i-srbiju-ako-nam-otmu-kosovo, accessed on 12 January 2017.

387 "Guri"'s Ill Intentions, Instead of a reply to General Guri, IN4S Web portal, see: http://www.in4s.net/gurijeva-zla-namera-umesto-odgovora-generalu-guriju/, accessed on 12 January 2017.

388 Beta, Vučić: "It's hypocrisy to say that Guri was involved in the murder of the Bitići brothers", 7 November 2016, see: http://www.naslovi.net/2016-11-07/beta/vucic-licemerno-je-govoriti-da-guri-ima-veze-sa-ubistvom-brace-bitici/19204658, accessed on 12 January 2017.

389 Statement made by Petar Zeković before the investigative judge of the District Court in Belgrade on 5 July 2004, *Kri.V. 1/03*. http://www.jugiliks.com/images/Pdf/hladnjace/zekovic%20petar.pdf, accessed on 12 January 2017.

390 ICTY Trial chamber Judgment, *Đorđević*, Volume II, para 1349.

209. Zeković retired as Assistant Minister for the Interior in 2000.[391]

Heads of SUPs and OUPs of the Serbian MUP

210. The discoveries of buried Albanian civilians near Tekija and in Lake Perućac indicate that some heads of SUPs and OUPs, primarily those coordinated by General Đorđević, were involved in the cover-up of crimes committed against Kosovo Albanians.

211. Časlav Golubović, Head of SUP Bor, and Vukašin Sperlić, Head of OUP Kladovo, actively participated in hiding the evidence of the bodies that surfaced with the refrigerator truck in the Danube near Tekija and in burying other bodies in the Training Centre in Petrovo Selo [see paragraphs 83-87].

212. At the same time, when the refrigerator truck was being recovered from Lake Perućac, Đorđe Kerić, Head of SUP Užice, forwarded the orders of General Đorđević to his subordinates, thus actively contributing to concealing the crimes from the public eye and from the investigative authorities [see paragraphs 139-142]. Slavko Petrović, Commander of Bajina Bašta Police Station, hired the mechanisation to recover the refrigerator truck from Lake Perućac. [see paragraph 141].

213. Časlav Golubović retired in January 2002,[392] Vukašin Sperlić in June 2006,[393] and Slavko Petrović in June 2001.[394] Đorđe Kerić retired as Assistant Head of Traffic Police of the Serbian MUP in July 2002.[395]

Heads and senior staff members of the Crime Police Departments of SUPs and OUPs of the Serbian MUP

214. The available evidence suggests that the heads and staff of Crime Police Departments of the SUPs and OUPs of the Serbian MUP played an important part in the terrain sanitization, i.e. in the crime cover-up operation. The removal of bodies from the refrigerator truck at Tekija was helped by the head and staff of the Crime Police Department of OUP Kladovo: Milan Stevanović, Boško Radojković, Momčilo Sujiranović, Jovan Dobrić and Nenad Popović, and by Toma Miladinović, Head of Crime Police Department SUP Bor; whilst Zoran Mitričević, Head of Crime Police Department SUP Užice, and his subordinates Mileta Petrović, Boško Milutinović and Dragan Đorđević, helped remove the bodies from Lake Perućac.

215. Milan Stevanović led the Group for Crime Prevention in Kladovo Police Station until September 2006, when he retired.[396]

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391 Statement made by Petar Zeković before the investigative judge of the District Court in Belgrade on 5 July 2004, *Kri.V. 1/03* http://www.jugiliks.com/images/Pdf/hladnjace/zekovic%20petar.pdf, accessed on 12 January 2017.
392 Časlav Golubović's statement, Ex. No. P352, *Đorđević,* p.2.
393 MUP, Reply 236/16-2 of 4 March 2016.
394 MUP, Reply 11-11/16 of 28 June 2016.
395 Đorđe Kerić's testimony before the ICTY, *Đorđević*, 21 July 2009, pp.7753-7754.
396 MUP, Reply 1226/16-2 of 25 November 2016.

216. Boško Radojković worked in the Crime Technical Unit in Kladovo Police Station until June 2006, when he retired.[397]

217. Momčilo Sujiranović became Head of Department of the Category 1 Group for Criminality Prevention in Kladovo Police Station in July 2015.[398]

218. Jovan Dobrić retired in October 2013, whilst Nenad Popović's employment with the MUP was terminated in 2000 for breach of duty.[399]

219. Toma Miladinović was Head of the Division for Criminality Prevention in SUP Bor until 2005, when he retired.[400]

220. After his involvement in concealing the bodies recovered from Lake Perućac, Zoran Mitričević advanced in his career. In December 2001 he was transferred to the Division for Combating General Criminality within the Crime Police Administration of the Serbian MUP. He was then promoted to Head of Police Administration in Užice and held the position until 2009, when he retired.[401]

221. Mileta Petrović was the Senior Analyst in the Analytics and Records Department of the Police Administration in Užice until 2009, when he retired.[402]

222. Boško Milutinović and Dragan Đorđević retired from the MUP in 2006.[403]

64 **Other members of staff of the Serbian MUP**

223. In addition to the senior and middle management, other police officers holding various positions within the Serbian MUP also took part in the field execution of the cover-up plan.

224. Radomir Đerić, former assistant to Goran Radosavljević ("Guri") in the Training Centre in Petrovo Selo, did not deny his involvement in interring the bodies at this location. He took early retirement in 2006.[404] Sreten Popović, also an assistant to Radosavljević, was in Petrovo Selo at the time when the bodies were interred. He was found not guilty of murdering the Bytyqi brothers. The MUP has failed to respond within the mandatory deadline to the HLC's query about his professional engagement.[405]

397 MUP, Reply 1229/16-2 of 25 November 2016.
398 MUP, Reply 1237/16-2 of 25 November 2016.
399 Ibid.
400 MUP, Reply 1233/16-2 of 18 November 2016.
401 MUP, Reply 331/16-2 of 17 March 2016.
402 MUP, Reply 1236/16-2 of 29 November 2016.
403 Ibid.
404 MUP, Reply 264/16-3 of 4 March 2016.
405 Request to access information of public importance sent to MUP on 14 September 2006, HlcIndexOut: 170-F125610

225. Orders to transport the corpses from Kosovo to Serbia were given to the MUP staff by Police Colonel Mladen Šipovac and Dragić Nenadić [see paragraph 92], among others. On the grounds that a name and surname were not enough for them to provide the information on the role and function of Mladen Šipovac during and after 1999, the Serbian MUP refused to provide the HLC with the information on his professional engagement.[406]

226. Dragić Nenadić was Head of the Division for Vehicle Maintenance and Utilization in the Administration for Shared Services until the end of his career in the police in May 2004, when he retired.[407] In other words, he remained in the position from which, according to the witness statements, he issued orders for the dead bodies to be transported from Kosovo to Serbia.

VJ officers

227. The order to sanitize the terrain of 31 March 1999 by the Commander of the Prishtina Corps Vladimir Lazarević makes him and the brigade commanders to whom the order was sent one of the organizers of the concealment of bodies.[408] In addition, judging by the order itself and the events that happened in the field, commanders of the sanitization divisions and their assistants played a significant operative role in the removal of the bodies (see paragraphs 149-151). Citing data confidentiality, the Ministry of Defence rejected the HLC's requests for the names of the sanitization divisions' commanders and their assistants within the VJ brigades in Kosovo.[409]

228. The ICTY convicted General Vladimir Lazarević for crimes against Kosovo Albanians and sentenced him to 14 years in prison.[410] He was released in December 2015.

iii. Direct perpetrators

229. As the Dossier indicates, hundreds, possibly thousands of individuals from various organisations took part in removing the corpses from crime scenes, interring them in mass graves in Kosovo, exhuming them, loading them onto trucks, transporting them to Serbia and reinterring them in secret mass graves. A great number of policemen, VJ and Territorial Defence staff, members of the Civil Defence under the jurisdiction of the Ministry of Defence, and civilians, were paid or forced to take part in some segments of the operation. Some of them testified before the ICTY and Serbian courts.

406 MUP, Reply 211/16-2 of 23 February 2016.
407 MUP, Reply 212/16-2 of 1 March 2016.
408 Order to sanitize the terrain by the Commander of the Prishtina Corps Vladimir Lazarević dated 31 March 1999, Ex. No. P352, *Šainović et al.*
409 The General Staff of the Serbian Army, Joint Operative Command, seven decisions of 19 January 2016 as per requests of the HLC to provide information of public importance regarding the commanders and deputy commanders of the sanitization divisions: Decision No 116-2 (58th VJ Light Infantry Brigade), Decision No 114-3 (15th VJ AmdBr), Decision No 115-2 (52nd VJ AmdBr), Decision No 117-2 (125th VJ MtBr), Decision No 118-2 (211st VJ MtBr), Decision No 119-2 (243rd VJ MtBr), Decision No 120-2, (549th VJ MtBr).
410 See the wording of the decision of the ICTY's Appeals Chamber, *Šainović et al*, p.732.

230. In this regard, there are accounts of the mass murder committed in Suharekë/Suva Reka, where after the crimes committed against the women, children and men of the Berisha family, dozens of individuals from the Serbian MUP, the Territorial Defence, the Civil Defence and public enterprises took part in removing the victims' bodies to a shooting range near Prizren (see paragraphs 24-25).

231. Boban Vuksanović, a member of the Suharekë/Suva Reka Territorial Defence who ordered that the bodies of the members of the Berisha family be loaded onto a truck, was killed soon after that.[411] Velibor Veljković and Ramiz Papić, who took part in the removal of bodies from Suharekë/Suva Reka, are still active in the police service.[412] Veljković works in the police station in Medveđa and Papić in the police station in Sjenica.[413] Todor Jovanović, a crime technician who photographed the corpses in Suharekë/Suva Reka, now works in the Police Administration in Kruševac and is in charge of criminal and technical registration and identification.[414]

232. The Ministry of Defence refused the HLC's request to provide information on the professional engagement of Zoran Stanisavljević, the former Head of the National Defence Department in Suharekë/Suva Reka, who, according to the witness statements, played an important role in the removal of bodies from crime scenes. The explanation was that the National Defence Department in Suharekë/Suva Reka has never been part of the Ministry of Defence or VJ,[415] which contradicts Stanisavljević's testimony before a domestic court. He said: "I was head of department at the Ministry of Defence (...) Head of the National Defence Department".[416]

233. Among the direct perpetrators are also the excavator drivers, who mostly testified about protective measures before the law courts, and those who transported the bodies. The names of at least four men who transported the bodies are known. They are: Božidar Protić, Čedomir Šakić, Dragan Bašanović and Bogdan Lipovac.

234. Protić, Šakić and Lipovac are now pensioners.[417]

235. As for Dragan Bašanović, the MUP replied that they could not find an individual under that name in their data base.[418]

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411 Hysni Berisha's testimony before the ICTY, *Đorđević* of 7 April 2009, pp.3372-3373.

412 MUP's reply to the HLC's query about the professional engagement of Velibor Veljković states that he was employed with the Medveđa Police Station of the Leskovac Police Administration (Reply 60/16-2 of 2 February 2016); MUP's reply to the HLC's query about the professional engagement of Ramiz Papić states that he works as a policeman in Sjenica Police Station of the Police Administration in Novi Pazar (Reply 58/16-2 of 2 February 2016).

413 MUP, Replies 58/16-2 and 60/16-2, both of 2 February 2016.

414 MUP, Reply 59/16-3 of 6 May 2016.

415 MoD, Reply 507-8 of 8 February 2016.

416 Testimony of Zorana Stanisavljevića in the Suharekë/Suva Reka case of 8 March 2007, p.54.

417 Testimony of Božidara Protića in the *Bytyqi* case of 8 February 2007, pp.29-30. Testimony of Čedomira Šakića before the ICTY,*Šainović et al.* of 11. February 2008, p.22078. In MUP's reply to the HLC's request regarding the professional engagement of Bogdan Lipovac, it is stated that he has retired in 2006 as a MUP driver, MUP, Replies 1011/16-2 of 19 September 2016.

418 MUP, Replies 1014/16-3 of 26 October 2016.

Appendices

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MUP /Ministry of the Interior/ OF THE REPUBLIC OF SERBIA
UKP /Criminal Investigations Administration/
25 May 2001
B e l g r a d e

The "refrigerator truck" case

I N F O R M A T I O N

After publication of an article in the local Zaječar magazine *Timočka krimi revija /Timok Crime Review/*, number 100 of 1 May 2001, stating that on 6 April 1999 a refrigerator truck full of unidentified bodies had been pulled out of the Danube river near the village of Tekija, Kladovo SO /municipality/, a Working Group was set up by order of Interior Minister Dušan MIHAJLOVIĆ with the task of establishing the relevant facts regarding this case.

Between 7 May 2001 and today, the **Working Group** has carried out interviews with over 30 persons in Belgrade, Bor, Negotin, Kladovo and other places regarding the circumstances of the "refrigerator truck" case and compiled the appropriate official documentation.

As part of the measures and activities taken so far, the scene of the event was directly inspected and the places where the refrigerator truck most probably ended up in the Danube were established.

It was thus established that on the afternoon of 5 April 1999 it was reported to the Kladovo OUP /Department of the Interior/ that fishermen near Tekija on the Danube had noticed a floating object similar to a white box. On the assumption that it was a vehicle, that is, that a traffic accident had happened, an on-site investigation team from the Kladovo OUP was sent to the scene of the event and the services of the professional diver Živadin ĐORĐEVIĆ from Kladovo were engaged.

The diver established that the object was a Mercedes refrigerator truck without license plates, that it was floating, and that the enterprise name *Progres* – Prizren was emblazoned on the cab doors. The box of the refrigerator truck was not visibly deformed, the box doors were closed and secured in the middle with a lock and chain.

A self-propelled crane was engaged to pull the refrigerator truck out of the Danube. It was pulled to within approximately 1.5 metres of the shore. Then an unpleasant stench was felt from the refrigerator truck. It was then noticed that "two human legs" were protruding from a tear in the refrigerator truck's box.

The lock was broken and the chain removed. In addition to the organs of the interior, the following representatives of the judicial organs were also present at the scene: Tomislav MILOJKOVIĆ, investigating judge of the Kladovo Municipal Court, and Mirko PETKOVIĆ, Kladovo Deputy Municipal Prosecutor.

Appendix 1

After the doors were opened, a large number of human bodies were seen in the refrigerator truck box. As this case fell under the jurisdiction of the Negotin District Public Prosecutor's Office, the attending investigating judge and Deputy Municipal Prosecutor declared themselves incompetent. After that, the doors of the refrigerator truck box were closed.

The Bor SUP /Secretariat of the Interior/ was informed of the event by dispatch from the scene.

On 7 April, a large self-propelled crane was engaged to pull out the refrigerator truck. The Bor SUP was asked for instructions regarding further action. In the meantime, the extraction of the refrigerator truck was put on hold by order of the then Chief of the Bor SUP, Colonel Časlav GOLUBOVIĆ, so that consultations could be carried out.

That same day in the evening, a meeting which had been scheduled was held and on that occasion the Chief of the Bor SUP was informed of the details and told that an on-site investigation had been started, but then stopped.

The Chief of the Bor SUP reported by telephone to the then Chief of the Public Security Sector /RJB/, General Vlastimir DORĐEVIĆ, who ordered him to wait until the necessary consultations had been carried out.

Appendix 1

The Chief of the Bor SUP, Colonel Časlav GOLUBOVIĆ informed General DORĐEVIĆ that it was impossible to perform autopsies of the bodies or to bury them in the Kladovo area. General ĐORĐEVIĆ then issued an order to secure the scene of the event, impose a media blackout and pull out the refrigerator truck.

After carrying out consultations, General ĐORĐEVIĆ ordered the Chief of the Bor SUP, Časlav GOLUBOVIĆ, to pull out the bodies and prepare them for transport, saying that the autopsies and burials would be carried out elsewhere. He also ordered that this "job" had to be done at night. Employees of the *Komunalac* enterprise from Kladovo and policemen took the bodies out of the refrigerator truck and loaded them onto a truck.

About twenty bodies were taken out on that same night. The operation was stopped at dawn due to the general exhaustion of the workers, the very difficult conditions and the inaccessible terrain.

An order was received from the MUP that the first truck with bodies should go from Tekija in the direction of Belgrade, up to the Bubanj Potok toll gate, and that the driver would receive additional instructions en route, over the mobile telephone.

The truck was driven by Ljubinko URSULJANOVIĆ, an official driver of the Bor SUP, escorted by a traffic police patrol.

At Bubanj Potok, the truck driver received instructions "from the MUP" over the mobile telephone to continue along the highway, by the *Zmaj* JP /?*Jugopetrol*/ petrol station, in the direction of Novi Sad. On the Novi Sad road, the truck was stopped and handed over to officials who have so far remained unidentified at their request.

On 7 April 1999, the refrigerator truck was pulled out of the Danube and placed on a vehicle transporter. During the night, the remaining bodies had been transferred to a second truck, which had been sent to the scene of the event from the MUP. After they were transferred, the bodies were taken in the truck in the direction of Belgrade, while the empty refrigerator truck was taken by tank transporter to the Petrovo Selo firing range near Kladovo, set on fire and blown up.

Based on information gathered in interviews with eyewitnesses, it is concluded that there were about 50 (fifty) bodies and it is assumed that they are from the area of Kosovo and Metohija.

The Minister of the Interior, Vlajko STOJILJKOVIĆ, and the Chief of the Public Security Sector, General Vlastimir ĐORĐEVIĆ, declared the whole case to be a state secret and launched operation *Dubina 2* /Depth 2/ to deal with it. Bearing this in mind, the Negotin District Public Prosecutor, Krstimir NESTOROVIĆ, halted further work on clearing up the case. There is no other information on this operation, except that the workers who took out and transferred the bodies from the refrigerator truck and the diver were paid from the MUP's special expenses fund.

After the MUP Working Group carried out the appropriate checks, the Negotin District Public Prosecutor's Office submitted to the Bor SUP request number KTR 37/2001 of 9 May 2001 asking that the necessary information be gathered regarding the *Timočka krimi revija* article on the "refrigerator truck case".

The Working Group also investigated the cause of the above-described event. Operative information acquired by the Working Group indicates that in March 1999 a working meeting was held in the office of Slobodan MILOŠEVIĆ, then President of the Federal Republic of Yugoslavia. This meeting was attended by: Vlajko STOJILJKOVIĆ, then Minister of the Interior, General Vlastimir ĐORĐEVIĆ, then Chief of the RJB, General Radomir MARKOVIĆ, then Chief of the RDB /State Security Sector/, and others. On that occasion, General ĐORĐEVIĆ raised the issue of clearing up the terrain in the Kosovo and Metohija area. In this regard, Slobodan MILOŠEVIĆ ordered Vlajko STOJILJKOVIĆ to take measures to remove all traces which could indicate the existence of evidence /as printed/ of the crimes committed.

In order to carry out the task received at a collegium of the MUP of the Republic of Serbia, in March of the same year, the problem was discussed of clearing up the terrain in Kosovo and Metohija where there had been combat operations with the aim of removing civilian victims who could potentially become the subject of investigations by the Hague Tribunal. Minister Vlajko STOJILJKOVIĆ issued an order to generals Vlastimir ĐORĐEVIĆ and Dragan ILIĆ to carry out the task received.

The Working Group has no information about similar cases in other locations. The Užice SUP carried out checks, but was unable to confirm the Humanitarian Law Fund's report of a similar refrigerator truck in the lake of the Kokin Brod hydroelectric power plant.

In order to establish all the facts and clear up this case, as well as any possible similar ones, as well as to establish the criminal and other responsibility of individuals, the Working Group continues to take intensive measures.

The MUP of the Republic of Serbia will soon inform the public about the results.

Appendix 1

MUP /MINISTRY OF THE INTERIOR/ OF THE REPUBLIC OF SERBIA
UKP /Criminal Investigation Police Department/
26 June 2001
B e l g r a d e

THE REFRIGERATOR TRUCK CASE

INFORMATION
II

At the press conference held on 25 May 2001 on the premises of the MUP /Ministry of the Interior/ of the Republic of Serbia, the public was informed about the information gathered in connection with the *Refrigerator Truck* case, as well as about the facts established by the Working Group. In addition to the indisputable facts, other as yet unverified information was presented.

In the course of further work on solving the case, interviews were conducted with several officials and other persons, and information gathered during the investigation was checked.

Boško RADOJKOVIĆ, the forensic technician of the Kladovo OUP /Department of the Interior/ handed over to the Working Group 10 black-and-white photographs and the film negative, which he had made at the location. The photographs showing the refrigerator truck from various angles have been published in the media. Based on the photographs, the type of the vehicle was identified, and confirmed that it was a Mercedes refrigerator truck with visible damage to the door at the rear end of the container, through which two human legs were protruding.

The door of the refrigerator truck bore the inscription *PIK PROGRES, eksportna klanica* /exporting slaughter house/ *Prizren*, including the telephone and fax numbers.

RADOJKOVIĆ firmly stated that there were 86 bodies in total, and that 83 of them were intact; however, he concluded that there were another three bodies because three human heads were found, together with parts of human bodies. Also, by being directly present on the spot while the bodies were carried out, RADOJKOVIĆ came to believe that nearly all the bodies had skull fractures inflicted by either blunt or sharp objects. Only on one male body, whose hands were tied with wire behind his back, he did see an entry-and-exit wound in the chest. According to RADOJKOVIĆ, among the bodies of adult men and women there were two children – a girl and a boy – aged between 6 and 7. Several male bodies wore UČK /Kosovo Liberation Army/ uniforms.

Meanwhile, additional checks have proven that the place from which it was possible for the refrigerator truck to get into the River Danube was located before the second tunnel on the Danube main road, from the direction of Donji Milanovac towards Kladovo.

No identification has been made so far either of the persons who pushed the refrigerator truck into the Danube, or possible eyewitnesses. Work on establishing

their identity is in progress, and the information that they were most probably officials is being verified.

Previous information indicated that there were more than 50 bodies, but the latest says that there were 86 bodies in the refrigerator truck. The bodies were loaded into two trucks. The first one – a *FAP* dump truck - in which 30 bodes were loaded, belonged to the JP /Public Enterprise/ *Komunalac*. It was driven to Belgrade, more precisely to the training centre compound of the MUP's SAJ /Special Anti-Terrorist Units/ in Batajnica.

Measures are being undertaken to identify the officials who took over this truck on the Novi Sad – Belgrade road, and drove it to the said MUP sports centre.

The second truck was driven from Belgrade to the scene near Tekija by the MUP driver Božidar PROTIĆ, accompanied by Major Duško PERIĆ from the MUP Police Administration. On the order of his superior NENADIĆ, chief of the Section for Vehicle Use and Maintenance within the MUP Administration for Joint Affairs, the driver used a truck which was the private property of a person from Belgrade.

The remaining 56 bodies from the refrigerator truck were loaded into this truck on the spot. The above-named officials drove the truck with the bodies to the same location as the previous one (the SAJ centre in Batajnica).

Appendix 2

It has been established that the bodies from both trucks were buried in two graves dug with an excavator.

When the location of one of the graves was discovered, a forensic investigation was carried out, and the location identified where the bodies were buried. One grave was situated in close proximity of the MUP centre. A partial excavation confirmed that there were human bodies in the grave, and appropriate documents were drawn up about it.

On 31 May 2001, we informed Mr. Rade TERZIĆ, the Belgrade District Public Prosecutor, of the above stated facts.

Consequently, Goran ČAVLINA, the investigating judge of the Belgrade District Court, ordered the exhumation and autopsy of the bodies. For this purpose, the Belgrade-based Forensic Institute was engaged, and the MUP of the Republic of Serbia was ordered to secure the scene.

On 1 June 2001, the scene was visited by the investigating judge of the Belgrade District Court, the District Public Prosecutor, representatives of the Forensic Institute, members of the Working Group, and staff members of the MUP Forensic Centre.

On 4 June 2001, the investigating judge of the Belgrade District Court ordered temporary suspension of the preparatory works for exhumation, and the MUP of the Republic of Serbia ordered the securing of the scene to continue around the clock. Explaining his order, he said that, apart from the fact that the investigating judge and

the representatives of the ISM /Forensic Institute/ were too busy, representatives of the Hague Tribunal had requested to be present during the exhumation.

The findings of Working Group indicate that dead bodies were also buried in pits in the vicinity of the MUP training centre in Petrovo Selo near Kladovo, and that they had most probably been transported from the area of KM /Kosovo and Metohija/.

There is also information that dead bodies are buried at an undetermined location next to the Vranje – Leskovac section of the highway, or more precisely beneath the highway.

This information is currently being verified.

The Working Group has not yet established the circumstances, the place and the manner in which the victims died. In that regard, measures are being undertaken to shed light on these and other circumstances.

Working Group

In keeping with Article 151, paragraph 2 of the Law on Criminal Procedure, I, Radomir MARKOVIĆ, born 11 August 1946 in the village of Lukavac near Tuzla, R /Republic/ BH, son of Marko and Ružica née Drolca, Serb, citizen of the FRY /Federal Republic of Yugoslavia/, married with one child, qualified lawyer, registered and permanently resident at Žarkovačka Street, no. 48, Belgrade, on 26 June 2001 in Belgrade District Prison hereby willingly give an authorised official of the Serbian MUP /Ministry of the Interior/, Belgrade CRDB /State Security Department Centre/ the following

STATEMENT

Regarding the latest events and headlines in the press about the refrigerated lorry containing the bodies of Albanian civilians, and the open suspicion that during the war in KIM /Kosovo and Metohija/ there were systematic and in principle very well organised attempts to conceal the extent of the crimes and remove traces of it, I know that in March 1999, a working meeting was held around a long table used for working meetings in the library on the ground floor of the *Beli Dvor* /White Palace/, where Slobodan MILOŠEVIĆ most frequently held meetings. Vlajko STOJILJKOVIĆ, Minister of the Interior, Vlastimir ĐORĐEVIĆ, chief of the RJB /Public Security Department/ and I attended this meeting. This meeting was most likely devoted to the issue of Kosovo, and in addition to those listed, was probably also attended by representatives of the VJ /Yugoslav Army/, although I cannot say that for certain. Beyond the main topic of the meeting, at its very end, Vlastimir ĐORĐEVIĆ raised the problem of removing Albanian bodies to remove all possible civilian victims who could become the subject of an investigation by the Hague Tribunal. MILOŠEVIĆ ordered Vlajko STOJILJKOVIĆ to undertake the measures necessary to remove the bodies of the Albanian civilians who had already been buried. I personally did not get involved in the conversation on this topic since none of the orders was directed at me. I know that STOJILJKOVIĆ appointed General Dragan ILIĆ to implement this task and that the latter then went with a specific team of collaborators to the KIM area. I personally did not want to allow the RDB to get involved in this morbid tale of later disinterment and removal of the bodies so, as far as I know, it was the RJB and members of the VJ that participated in this. Vlajko STOJILJKOVIĆ issued the order to implement these measures directly to Dragan ILIĆ and Vlastimir ĐORĐEVIĆ. In addition to them, Obrad STEVANOVIĆ, Dragan ILIĆ /as printed/, Branko ĐURIĆ, Sreten LUKIĆ, Dragiša DINIĆ and probably all the members of the MUP Collegium at the time, also know of the order. In informal conversations held before the Collegium and at working meetings, there was frequent mention of so-called restoring of the terrain in the KIM area where combat operations were conducted. I know that Dragan ILIĆ was not satisfied with the activities implemented by the MUP in this area, because of which he complained to me on several occasions of the difficulty of the job he was doing, his lack of preparation for such horrors and the resistance he was meeting in the field from people who were supposed to assist in revealing the locations of the bodies of Albanian civilians. In this context, ILIĆ told me that MUP Colonel Goran RADOSAVLJEVIĆ had offered him significant assistance in this job, with his men who helped directly to implement the task received. Dragan ILIĆ also complained of the lack of cooperation from the military organs which did not offer any assistance to implement this job. On one occasion, ILIĆ told me that cooperation with the VJ was repaired after a certain amount of time and coordination of activities

Appendix 3

/stamped:/

REPUBLIC OF SERBIA
MINISTRY OF THE INTERIOR
PUBLIC SECURITY DEPARTMENT
No. 13/99
22 April 1999
Belgrade, Kneza Miloša 103

STRICTLY CONFIDENTIAL

Republic of Serbia
MINISTRY OF THE INTERIOR
Crime Police Administration
Strictly confidential no:
19 April 1999
Belgrade

APPROVED BY:
ASSISTANT MINISTER
CHIEF OF THE JB /Public Security/
DEPARTMENT
Colonel General
Vlastimir ĐORĐEVIĆ
/signed/

To: **ASSISTANT MINISTER**
CHIEF OF THE PUBLIC SECURITY DEPARTMENT
Colonel General
Vlastimir ĐORĐEVIĆ

SUBJECT: Request for operational expenses

Please approve the payment of 10,000 dinars for operational expenses incurred during the implementation of Operation *Dubina II* /Depth II/ in April of this year.

CHIEF OF DEPARTMENT
Major General
Dragan ILIĆ
/signed/

Appendix 4

/stamped:/
REPUBLIC OF SERBIA
MINISTRY OF THE INTERIOR
PUBLIC SECURITY DEPARTMENT
No. 13/99
22 April 1999
Belgrade, Kneza Miloša 103

PAYMENT ORDER

STRICTLY CONFIDENTIAL

Pay /handwritten:/ Major General Dragan ILIĆ, Chief of the UK/?P/ /Crime Police Administration/ of the MUP /Ministry of the Interior/ of the Republic of Serbia the amount of 10,000 (ten thousand dinars).

Date

22 April 1999

Proposed by:

_____

Approved by:

_____

Appendix 4

Authorised by:

/a signature and stamped/

RECEIPT

Confirming that I was paid the amount of 10,000 dinars for operational expenses. I hereby promise to send (an official note or a report) on the reasons for taking or on handing over the money.

22 April 1999
Date

RECEIVED BY:
/a signature/

/stamps:/

REPUBLIC OF SERBIA
MINISTRY OF THE INTERIOR
PUBLIC SECURITY DEPARTMENT
No. 13/99
22 April 19 99
Belgrade, Kneza Miloša 103

Document - file to be put (a.a) /archives/

Classification number: 13/99

STRICTLY CONFIDENTIAL

SUBJECT: *Dubina II* Operation
Payment of operational expenses

Jointly solved case nos:
Keep by:
Incoming mail book no.:

To be filed according to the ZUP /Law on Administrative Procedure/ YES - NO	1	9
	2	10
	3	11
	4	12
	5	13
	6	14
	7	15
	8	16

Belgrade, 25 April 1999
(place)

Processed by:
/illegible signature/

Appendix 4

/handwritten/

I certify that I received the amount of 2,000.00 (two thousand dinars) on 27 April 1999.

1. Nikola DARIĆ
   /signed/
2. Dragan STOJANOVIĆ
   /signed/
3. Dimitrije BANDOKIĆ
   /signed/
4. Ljubiša PERIĆ
   /signed/
5. Živadin ĐORĐEVIĆ
   /signed/

I hereby confirm that payment was made on 27 April 1999.

Chief of OKb /?Armoured Battalion/
Lieutenant Colonel
/a signature/

Appendix 4

Translation

Appendix 5

56. OVERVIEW OF RECORDED CRIMINAL OFFENCES AND MEASURES TAKEN IN THE TERRITORY OF KOSOVO AND METOHIJA FROM 1ST JULY 1998 TO 20TH JUNE 1999

9. King Petar the First Street bb, Leposavić, 15th April 1999, causing public danger under Article 187 of KZ RS

Causing public danger which is an offence under Article 187 of KZ RS took place on 20th April 1999. The perpetrator was Vulović Bojan (a member of the reserve force of the Yugoslav Army), who came from the village of Ostraće in Leposavić municipality.
A criminal complaint of 15th April 1999 the number of which was KU 11/99 was filed and submitted to the Office of military prosecutor in Priština.

10. Lipljan, the villages of Gornje /Slovinje/ and Donje Slovinje, 15th April 1999

On 15th April 1999, intelligence activities of the police resulted in obtaining information according to which there were mass graves in the villages of Gornje /Slovinje/ and Donje Slovinje in Lipljan municipality. Allegedly, around 35 bodies were buried in the mass graves and the buried people had most likely died in fighting between KLA and security forces which had taken place in that area.
The existence of the graves was confirmed after the information had been checked and authorities of the Yugoslav Army were informed accordingly. They disinterred 16 bodies, identified them, and turned them over to their relatives for funeral.
Even though searches had been conducted, the grave in Gornje Slovinje was never found.
We have no knowledge of any other actions that the Yugoslav Army might have undertaken.
The case file and pertinent documents were filed with the Office of the District Public Prosecutor in Priština.

11. Đakovica, 16th April 1999, rape under Article 103 of KZ RS

Several members of the Yugoslav Army raped Nezira Merlinde of the village of Bardonjić and Beriša Hasime of the village of Koserić. The incident occurred in the village of Crmljane on 16th April 1999 at around 1000 hours.
They took a sum of 3,130 DM in an unlawful way from the following people: Šefki Krasnići, Sejdi Krasnići, and Đulfedana Krasniči, all of whom came from the village of Vranovac, from Zoje Hisenaj, Škurta Hiseni, and Miruše Hisenaj, all of whom came from the village of Bradonjić, from Meme Krasnići from the village of Čelopek, Arif Kereči from the village of Kraljane, and from Kimeta Berišu of Čelopek.
These civilians requested that members of the Ministry of the Interior should give them protection.
The security authorities of the Army were notified of the incidents, as was the Staff of the Ministry of the Interior.

12. Rezalo, Srbica, 18th April 1999

According to information two members of the Yugoslav Army, captain Krsmanović and major Čorbić, supplied to the Secretariat of the Interior in Kosovska Mitrovica on 13th April 1999, several dozen bodies, between 30 and 40 of them, were lying nearby the village cemetery in the village of Rezalo. The bodies had been covered up by earth and rubble by members of the Yugoslav Army.
Investigating Magistrate Paunović Bogoljub of the District Court in Kosovska Mitrovica and authorised officers with the Secretariat of the Interior went to the crime scene on the same day. An investigation of the scene proved that nearby the village cemetery there was a deposit of earth, and after the first layer had been removed, human bodies were discovered. The aforementioned Investigating Magistrate refused to issue exhumation orders since damage might have been caused to the bodies.
Investigating Magistrate Miletić Blagoje of the District in Court in Kosovska Mitrovica and authorised officers went to the scene of the crime on 18th April 1999. After having examined the scene of the crime, they established that there were a large number of human bodies lying underneath the deposit of earth. The Investigating Magistrate refused to issue orders for exhumation of the bodies; instead, he issued orders that since the existing deposit was located at a water-worn gully, one more layer of

Appendix 5

approximately 80 cm of earth be deposited over it. At the same time, he insisted with attending officers with the Yugoslav Army, namely with captain Krsmanović and major Čorbić, that investigative activities should be carried out by investigative authorities of the Army.
Files containing findings of forensic investigation were compiled.

13. Lipljan, the villages of Malo Ribare and Mali Alaš, 18th/19th April 1999
Activities of the police had led to information that was obtained on 18th and 19th April 1999. According to the information, there were mass graves located in the villages of Malo Ribare and Mali Alaš in Lipljan municipality and approximately 45 bodies were buried in those graves. They belonged to people who had died during operations of VJ units.
After the information had been checked and confirmed, the competent authorities of the Yugoslav Army were informed of the incident. They disinterred and identified 25 bodies in Malo Ribare and 16 bodies in Mali Alaš.
The bodies were handed over to their relatives so that they could be given a burial.
We have no information about any other measures that VJ might have undertaken in this case.

14. Zubin Potok, 22nd April 2000, Arsenije Čarnojević's Street bb, murder under Article 47 of KZ RS
On 22nd April 1999, at around 2200 hours, Kasalović Dragan of the village of Zupče in Zubin Potok municipality, who served as a sergeant in the Yugoslav Army, fired shots from a 7.62-mm calibre automatic rifle and killed Biševac Mirko of Zubin Potok. Biševac was the owner of café "Hram" /Temple/ in which the murder occurred. At the same time, Kasalović inflicted bodily harm on Jakšić Dragoljub, Vukićević Zoran, Đurić Slaviša, Radojković Boban, Nešović Gordana, and Radomirović Snežana.
A criminal complaint KU 24/00 was filed against Kasalović Dragan because there were reasonable grounds to suspect that he had committed the offence of murder under Article 47, paragraph 2, item 3 of KZ RS. The criminal complaint was submitted to the Office of the District Public Prosecutor in Kosovska Mitrovica. Kasalović Dragan turned himself in to military authorities in Niš and he was remanded in custody there. The investigative authorities of the Army instituted criminal proceedings.

15. Obilić, 23rd April 1999, attempted robbery under Article 168 of KZ RS and offence under Article 23 of ZOJRM /Law on Public Law and Order/
Milenković Momir, who was a member of the reserve force of the Yugoslav Army, and three individuals of Albanian ethnic affiliation took 2,020.0 dinars and 200 DM from Gaši Muharem while threatening him with a knife.
The perpetrators were placed in detention.
A criminal complaint was filed and laid in the competent Prosecutor Office.

16. Peć, 26th April 1999, causing public danger under Article 187 of KZ RS
On 26th April 1999, several members of the Yugoslav Army discharged an automatic rifle in the direction of a building in which families Grujić, Martinović, Jekinić, etc. lived, and which was located in Rasadnik settlement. One projectile entered the bedroom of the Jekinić family. The perpetrator was identified as Novović Jovica, who was a soldier.
The Military Police were notified of the incident.
An official note PU 510/99 and a questionnaire that contained information related to the incident PU 2895/99 were referred to the Yugoslav Army. A report was submitted to the Ministry of the Interior.

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